

URBAN/MUNICIPAL

CA4 ON HBL A05

#3 A31

1992

May/12/92

Agendas of the Meetings  
of the  
Council of Hamilton







CA4 ON HBL A05  
A31 1992



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J.J. SCHATZ  
CITY CLERK

**THE CORPORATION OF THE CITY OF HAMILTON**

OFFICE OF THE CITY CLERK  
71 MAIN STREET WEST  
HAMILTON, ONTARIO L8N 3T4

TEL: 546-2700  
FAX: 546-2095

**MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1992 May 12  
7:30 o'clock p.m.  
Council Chambers, City Hall**

**AGENDA**

**1. Opening Prayer**

Father Stephen Chmilar  
St. Nicholas Ukrainian Catholic Church

**2. Proclamations**

- (a) Tornado Awareness Week - 1992 May 11 - 17
- (b) Sickle Cell Anemia Month - 1992 May

**3. Declaration of Appointed Office**

Allan C. Ross, Treasurer

**4. Minutes**

- (a) 1992 April 28

**5. Petitions and Correspondence**

URBAN MUNICIPAL  
MAY 12 1992  
GOVERNMENT DOCUMENTS

1911

1912



**6. Reports of the Standing Committees**

- (a) Transport and Environment Committee
- (b) Parks and Recreation Committee
- (c) Planning and Development Committee
- (g) Special Committee to Administer the Hamilton-Scourge Project
- (h) Finance and Administration Committee

**7. Notices of Motion for Next Meeting**

**8. First Reading of the Bills**

**9. Second Reading of the Bills - Committee of the Whole**

**10. Third Reading of the Bills**

**11. Question Period**

**12. Adjournment**







**MINUTES**







1992 April 28

Hamilton City Council  
1992 April 28  
7:30 o'clock p.m.  
Council Chamber, City Hall

The Council met.

Present: Mayor Robert M. Morrow

Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson,  
Agostino, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Absent: Alderman F. Eisenberger - vacation

Reverend Lorne Mackay, Minister Emeritus, Central Presbyterian Church led Council in prayer.

\* \* \* \* \*

Mayor R. M. Morrow presented a Certificate of Recognition to Reverend Lorne Mackay in recognition of his dedicated service to the City of Hamilton Fire Department as the Honourary Protestant Padre.

\* \* \* \* \*

A Distinguished Budget Presentation Award was made to the City of Hamilton by Malcolm Gregg on behalf of the Government Finance Officers Association of the United States and Canada (GFOA).

\* \* \* \* \*



1992 April 28

Mayor R. M. Morrow proclaimed the following:

"Pitch In Week - 1992 May 4 - 10"

"Salvation Army Red Shield Month - 1992 May"

"Volunteer Week - 1992 April 27 to May 1"

"Royal Canadian Sea Cadet Corps Lion Week - 1992 May 10 - 17"

\* \* \* \* \*

The minutes of the special meeting held 1992 March 27 were adopted as corrected and the 1992 April 14 minutes were adopted as circulated.

\* \* \* \* \*

Correspondence:

1. Letter dated 1992 April 15 from Warren E. Schofield respecting the Licensing Committee's recommendation to deny his Cab Driver's Licence application.

Received.

\* \* \* \* \*



It was moved by Alderman Kiss and seconded by Alderman Jackson that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, and the Finance and Administration Committee, be now considered in Committee of the Whole.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

<p><b>PARKS AND RECREATION COMMITTEE - EIGHTH REPORT</b></p>
--

**Section 1 (b) Re: Hamilton Steelers Soccer Club**

It was moved by Alderman Jackson and seconded by Alderman Drury that Sub-section (b) of Section 1 of the Eighth Report of the Parks and Recreation Committee be referred back in order to allow the Hamilton Steelers an opportunity to prepare a financial statement and to meet with City Staff to negotiate an acceptable lease agreement for the 1992 - 1993 season satisfactory to the Hamilton Steelers and the City of Hamilton and that the Parks and Recreation Committee report back to City Council at its meeting scheduled for May 26, 1992.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Wilson, Jackson, Merling. -5.

NAYS: Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Charters, Anderson, D'Amico, Ross. -10. **LOST.**

\* \* \* \* \*



**Section 1 (b) Re: Hamilton Steelers Soccer Club**

It was moved by Alderman Jackson and seconded by Alderman Charlton that Section 1(b) of the Eighth Report of the Parks and Recreation Committee be amended by adding after the word "credit" in the third line, the words "satisfactory to the City Solicitor".

**CARRIED.**

\* \* \* \* \*

**Section 4 Re: Sell beer - Stoney Creek Women's Slo-Pitch League - Slo-Pitch Tournament**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Jackson -1.

**CARRIED.**

\* \* \* \* \*

<p><b>PLANNING AND DEVELOPMENT COMMITTEE - EIGHTH REPORT</b></p>
--

**Section 9 Re: Zoning Application 92-02 - 124 Walnut Street South**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Copps, Wilson, -2.

**CARRIED.**

\* \* \* \* \*

**Section 11 Re: Zoning Application 91-87 - 1158 Upper Wentworth Street**

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 11 of the Eighth Report of the Planning and Development Committee be amended by adding the following as sub-section (h)

- (h) That access to Block 2 be at the extreme southerly property line to Upper Wentworth. **CARRIED.**

\* \* \* \* \*

**CITY OF HAMILTON LICENSING COMMITTEE - THIRD REPORT**

**FINANCE AND ADMINISTRATION COMMITTEE - ELEVENTH REPORT**

**Section 12 Re: Canadian Country Music Association - Country Music Week**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

**NAYS:** Aldermen Copps, Agostino. -2. **CARRIED.**

\* \* \* \* \*



**Section 23 (f) Re: Open Local Government Proposal on Municipal Conflict of Interest**

It was moved by Alderman Ross and seconded by Alderman D'Amico that Section 23 of the Eleventh Report of the Finance and Administration Committee be amended by adding the following as Sub-section (f):

- (f) That the City Solicitor be directed to prepare a draft City of Hamilton resolution for the consideration of the Finance and Administration Committee on the City's concerns with respect to the Open Local Government Proposal on Municipal Conflict of Interest for submission to the Association of Municipalities of Ontario.

**CARRIED.**

\* \* \* \* \*

**Section 23 (c) Re: Open Local Government Proposal on Municipal Conflict of Interest - Municipal Conflict of Interest Commissioner**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Charters, Jackson, Merling, Anderson, Ross. - 12.

NAYS: Aldermen Cooke, Wilson, Agostino, D'Amico -4. **CARRIED.**

\* \* \* \* \*

**Section 23 (d) Re: Open Local Government Proposal on Municipal Conflict of Interest - "bona fide error of judgement" defence not be deleted**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Charters, Jackson, Merling, Anderson, Ross. -12.

NAYS: Aldermen Cooke, Wilson, Agostino, D'Amico -4. **CARRIED.**

\* \* \* \* \*

**Section 24 (m) Bill H-35: A By-law to Levy an Annual Tax on Telephone Companies doing business in Ontario respecting: The Bell Telephone Company of Canada.**

Alderman Wilson declared personal interest in, took no part in the debate and refrained from voting on Bill H-35. Alderman Wilson and Mrs. Wilson are shareholders of Bell Canada.

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Jackson that Alderman D. Agostino be appointed Acting Mayor for the Month of May, 1992.

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Jackson that the Reports of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee and the Finance and Administration Committee and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*



It was moved by Alderman Kiss and seconded by Alderman Jackson that the following Bills be now read a first time:

B-2.

C-49, C-50, C-51, C-52, C-53.

H-23, H-24, H-25, H-26, H-27, H-28, H-29, H-30, H-31, H-32, H-33, H-34, H-35, H-36, H-37.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Jackson that Council move into Committee of the Whole to consider the following Bills, with Alderman Cooke in the chair. (second reading).

B-2.

C-49, C-50, C-51, C-52, C-53.

H-23, H-24, H-25, H-26, H-27, H-28, H-29, H-30, H-31, H-32, H-33, H-34, H-35, H-36, H-37.

\* \* \* \* \*

**Consideration of the Bills (second reading).**

Recorded vote on Bill C-51 : A By-law to adopt Official Plan Amendment No. 109 respecting text changes to subsection C.7 - Residential Environment and Housing Policy and subsection D.9 - Notification and Public Participation Procedure of the Hamilton Official Plan.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Copps, Wilson. -2.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Jackson that the Report of the Committee of the Whole on the following Bills, be adopted. -

B-2.

C-49, C-50, C-51, C-52, C-53.

H-23, H-24, H-25, H-26, H-27, H-28, H-29, H-30, H-31, H-32, H-33, H-34, H-35, H-36, H-37.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*



It was moved by Alderman Kiss and seconded by Alderman Jackson that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

B-2.

C-49, C-50, C-51, C-52, C-53.

H-23, H-24, H-25, H-26, H-27, H-28, H-29, H-30, H-31, H-32, H-33, H-34, H-35, H-36, H-37.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

City Council then adjourned at 9:09 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

---

Mayor R. M. Morrow

John Thompson, Acting City Clerk  
1992 April 28

## **CORRESPONDENCE**





## Correspondence:

1. Letter dated 1992 April 30 from The Hamilton Harbour Commissioners in response to City Council's letter of 1992 April 15 regarding dumping in the area of the Windermere Basin in which a meeting was requested with Hamilton Harbour Commission representatives to discuss the issue of the Windermere Basin dumping.

**Recommendation:**                      **Be Received.**

2. Letter dated 1992 May 7 from PPM Canada Inc. regarding the tendering of project number 92.2569 Hazardous Soil Extraction Project Harbourfront Park

**Recommendation:**                      **Be Received.**

3. Application dated 1992 April 23 from Chin Shee Shing and Chin Nor Fai, Stoney Creek, Ontario for a modification to the "M-13" (Prestige Industrial) District for Nos. 1123, 1131, 1135 Stone Church Road East, Hamilton, Ontario.

**Recommendation:**                      **Be Received.**

4. Application dated 1992 April 24 from Landawn Shopping Centres Limited, Toronto, Ontario for a further modification to the "HH" (Restricted Community Shopping and Commercial etc.) District regulations for property located south of the C.N. Railway, east of Centennial Parkway North, Hamilton, Ontario.

**Recommendation:**                      **Be Received.**

5. Application dated 1992 April 27 from Shell Canada Products Limited, North York, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial, etc.) District modified for property at No. 1630 Upper Gage Avenue, Hamilton, Ontario.

**Recommendation:**                      **Be Received.**



6. Application dated 1992 April 30 from R. P. Baldessarini, Hamilton, Ontario for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings) District to "G-3" (Public Parking Lots) District at 412 Charlton Street West, Hamilton, Ontario.

**Recommendation:**

**Be Received.**

7. Application dated 1992 May 5 from David K. Lord and Eileen R. Booty, Hamilton, Ontario for a modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District for No. 173 Bold Street and No. 20 Wheeler Place, Hamilton, Ontario.

**Recommendation:**

**Be Received.**

8. Application dated 1992 May 5 from 870964 Ontario Limited, Unionville, Ontario for a further modification to the existing "G" (Neighbourhood Shopping Centre) District to permit restaurants at 209 Limeridge Road East, Hamilton, Ontario.

**Recommendation:**

**Be Received.**

9. Application dated 1992 May 4 from Stanley Hinz, Hamilton, Ontario for a change in zoning from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District for 62 Kennedy Avenue, Hamilton, Ontario.

**Recommendation:**

**Be Received.**

10. Application dated 1992 May 1 from Rolando Pineda Estrabillo, Stoney Creek, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) modified District for 860 Upper Wentworth Street, Hamilton, Ontario.

**Recommendation:**

**Be Received.**

11. Application dated 1992 May 4 from 200 Rymal Road Inc., Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 200 Rymal Road East, Hamilton, Ontario.

**Recommendation:**

**Be Received.**

12. Letter dated 1992 May 8 from John Thompson, Acting City Clerk, respecting objections to By-law 92-090 regarding property located at No. 475 Nebo Road (previously distributed).

**Recommendation:**

**Be Received.**





605 James St. N.  
Hamilton, Ontario, Canada  
L8L 1K1

Hamilton 525-4330  
Toronto 1-800-263-2131  
Telex 061-8638

Fax Numbers  
Administration 528-6282  
Terminal 525-7258



The Hamilton  
Harbour  
Commissioners

1.

April 30, 1992

The Corporation of The City of Hamilton,  
Office of the City Clerk,  
71 Main Street West,  
Hamilton, Ontario  
L8N 3T4.

Attention: Mr. J. J. Schatz,  
City Clerk

Dear Mr. Schatz,

In response to your April 15, 1992 correspondence addressed to my attention respecting the capping of Windermere Basin, Commissioner D. M. Beattie has provided all members of City and Regional Council with materials which detail the capping procedure and history at Windermere Basin.

The Commissioners trust that this information addresses those issues raised by Council at its meeting of April 14, 1992.

Yours truly,  
THE HAMILTON HARBOUR COMMISSIONERS

R. SCOTT SMITH,  
SECRETARY TO THE BOARD

RSS:AH  
WP.RSS.76

OFFICE OF THE CITY CLERK	
MAY 04 1992	
REC. BY <i>JS</i>	DATE <i>05/04</i>
REF'D. TO	DATE
REF'D. TO	DATE
REF'D. TO	DATE
ACTION:	

A





CANADA INC.

2.

PCB MANAGEMENT, CLEAN-UP, AND DESTRUCTION

May 7, 1992

REPLY TO:

BRAMPTON

Mr. J.J. Schatz, City Clerk  
Mr. Tom Jackson, Chairman of Parks and Recreation Committee  
City Hall  
71 Main Street West  
Hamilton, Ontario  
L8N 3T4

RE: **The Tendering of Project Number 92.2569**  
**Hazardous Soil Extraction Project Harbourfront Park**

Dear Sirs:

OFFICE OF THE CITY CLERK

MAY 08 1992

REC. BY *[Signature]* DATE *05/08*  
REF'D. TO *K.C.* DATE *05/08*  
REF'D. TO \_\_\_\_\_ DATE \_\_\_\_\_  
REF'D. TO \_\_\_\_\_ DATE \_\_\_\_\_  
ACTION: *F.Y.A.*

PPM Canada Inc. submitted a bonded tender on Tuesday, April 7, 1992 for the above mentioned project. After attending the Parks and Recreation Committee meeting on Tuesday, May 5, 1992 and receiving a copy of the recommendation report from Doug Lobo to Mr. K. Christenson and the Committee, PPM Canada discovered a number of inconsistencies in the evaluation of the tender documents.

1. PPM Canada's tender price was incorrectly increased by the Review Committee by \$62,123.81 on a supposed error in G.S.T. calculation. PPM Canada Inc. was never notified of this increase. If clarification had been requested from PPM Canada, we would have explained that the increase was not required as transport fees of material shipped between Canada and the United States are zero rated for G.S.T.
2. During the tender review process PPM Canada was never once contacted by the Review Committee, City of Hamilton or any of its official representatives regarding clarification of our tender documents. PPM Canada submitted a bonded tender guaranteeing that we would meet the requirements of the tender. One example which needed clarification was PPM Canada's application to the Ministry of the Environment for a site approval of our stabilization technology. PPM Canada submitted this application to the Ministry of the Environment after receiving the tender documents from the City to ensure that M.O.E. approval would be received in time if PPM Canada was awarded the contract. On-going communication with the Ministry of the Environment indicated approval could be received within the time requirement. This was not the information provided to the Parks and Recreation Committee in the recommendation report from Mr. Doug Lobo.

SERVING INDUSTRY THROUGH CHEMICAL TECHNOLOGY



3. One of the main requirements of the tender was that the contractor have an experienced, independent environment consultant prepare a detailed proposal of the Dust Monitoring/Air Quality Program, acknowledging the requirements of Item 7.0 of the tender documents. Failure by the tenderer to comply with the requirements of Item 7.0 would result in the disqualification of the tender. PPM Canada contracted a local highly qualified Engineering firm to provide PPM Canada with a detailed Air Quality Monitoring plan following all the requirements of Item 7.1 of the tender documents.

In table one of the recommendation report to the Parks and Recreation Committee it seems to indicate that a detailed plan was not submitted by the recommended contractor as required by the tender documents. PPM Canada has been informed by our contracted Engineering firm that after the Parks and Recreation meeting on Tuesday, May 5, 1992, the recommended contractor was soliciting our Engineering firms Air Monitoring services for this project. If a detailed plan was not submitted by the recommended contractor why were they not disqualified as boldly stated under Exhibit C, General Instructions Item 2.

4. Under Item 10.0 in the tender documents the contractor will provide a complete and detailed explanation of the permanent disposal of the hazardous soil methodology to be used on this project. PPM Canada provided a complete description of the treatment and final disposal of the hazardous soil. As stated in the Recommendation Report dated April 15, 1992 and reiterated in the meeting of the Parks and Recreation Committee on May 5, 1992 the recommended contractor had still not determined the final licensed disposal facility for the treated soil as required by the Ministry of the Environment.

In closing PPM Canada feels strongly that the greatest advantage to the City and the people of Hamilton in our proposal was not fully highlighted to the Parks and Recreation Committee. The on-site stabilization of the hazardous soil utilizing a simple cement based technology has the following advantages:

1. The liability associated with transportation of hazardous materials is completely eliminated.
2. Ownership of the waste is transferred to PPM Canada once stabilization is completed on site, which eliminates any long term disposal liability to the City of Hamilton.

3. Risks associated with the transportation of 700 plus truckloads of hazardous lead contaminated soil through Wards 2 and 3 in the summer when school is out and the risk of exposure to the public is the greatest, is eliminated.

If the City or any of it's Official Representatives require any more information on these issues, do not hesitate to call. We thank you for allowing PPM Canada the opportunity to bid on this project and await your reply regarding our concerns.

Yours truly,



Timothy P. Keegan  
President  
PPM Canada Inc.

*See Attachments: City of Hamilton Recommendation  
7.0 Dust Monitoring and Dust Control  
10.0 Explanation of the Permanent Disposal of Hazardous Soil  
Exhibit C*

c.c. Mayor R.M. Morrow  
Alderman Terry Cooke  
Alderman Mary Kiss  
Alderman Vince J. Agro  
Alderman Wm. M. McCulloch  
Alderman Don Drury  
Alderman Bernie Morelli  
Alderman Geraldine Copps  
Alderman Dave Wilson  
Alderman Dominic Agostino  
Alderman Fred Elsenberger

Alderman Bob Charters  
Alderman Henry Merling  
Alderman Terry Anderson  
Alderman Don Ross  
Alderman Frank D'Amico  
Mr. Stuart Ash, Fraser & Beatty  
Mr. John Vogt, M.O.E.  
Ms. P. Noe Johnson, City Solicitor  
Mr. T. Bradley, Mgr. of Purchasing  
Mr. D.Christopherson, M.P.P.









## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **SIXTH** Report for 1992 and respectfully recommends:

1. (a) That in accordance with the request by the Hamilton Street Railway Company, the following bus stop be removed:

Route 7 Locke - Outbound

- delete - Locke Street South east side, 49 feet south of Tuckett Street (N/S)

- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

2. (a) That in accordance with the request by the Hamilton Street Railway Company:

- i. the following temporary bus route be approved:

Route 34 Upper Paradise

Inbound/Outbound - Upper Horning, Mohawk Road to Golflinks

- ii. the following temporary bus stops be approved:

- Outbound - Upper Horning Road, west side, 82 feet south of the south curb line of Mohawk Road (F/S); and
- Outbound - Upper Horning Road, west side, 48 feet north of the north curb line of Golflinks Road (F/S); and
- Outbound - Upper Horning Road, east side, 156 feet north of the centre of Golflinks Road (M/B); and

- (b) That the City Traffic By-law No. 89-72 be amended accordingly.



3. (a) That northbound traffic on Osborne Street be required to stop for eastbound and westbound traffic on Walmer Road; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
4. (a) That eastbound traffic on Butler Drive be required to stop for northbound and southbound traffic on Acadia Drive; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
5. (a) That the existing "No Stopping" regulation on the east side of Highridge Avenue which commences at Swan Street and extends to a point 59 feet northerly therefrom be shortened, such that the regulation commences at Swan Street and extends to a point 34 feet northerly therefrom; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
6. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Aberdeen Avenue commencing at a point 235 feet west of James Mountain Road and extending to Bay Street South; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
7. (a) That a "No Parking" regulation be implemented on the south and east sides of Leclair Street commencing at a point 240 feet north of Lionsgate Avenue and extending to a point 157 feet west of Verdun Court; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
8. (a) That a "No Parking" regulation be implemented on the west side of Elgin Street commencing at a point 290 feet north of Barton Street and extending to a point 74 feet northerly therefrom; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
9. (a) That the existing residential boulevard parking agreement registered as Instrument No. 11146 to the property at No. 216 Gibson Avenue be discharged, at the property owner's expense; and  
(b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement.

10. (a) That the existing residential boulevard parking agreement between the City and Mrs. J. O'Sullivan, registered as Instrument No. 091279 to the property at No. 136 Mountain Park Avenue be discharged, at the property owner's expense; and
- (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement; and
- (c) That the City Treasurer be directed to revise the billing records accordingly.
11. (a) That the existing residential boulevard parking agreement between the City and Mrs. Brenda Lockhart, registered as Instrument No. 495450 to the property at No. 9 Hope Avenue be discharged, at the property owner's expense; and
- (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement; and
- (c) That the City Treasurer be directed to revise the billing records accordingly.
12. (a) That the existing "Permit Parking" regulation on the east side of John Street North commencing at a point 114 feet south of Burlington Street East and extending to a point 22 feet southerly therefrom be removed; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
13. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first six applicants residing in the apartment building at No. 47 Duke Street.
14. That the School Crossing Guard, which was relocated on 1991 October 17, from Maplewood Avenue and Norway Avenue to Maplewood Avenue and Springer Avenue on a trial basis, be permanently assigned to Maplewood Avenue and Springer Avenue.

15. That the applications to retain inadvertent encroachments at the locations outlined in Appendix "A", appended hereto, be approved during the pleasure of Council provided:
- (a) That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement these agreements.
  - (c) That the first year fee and subsequent annual fee outlined in Appendix "A", be set for these encroachments.
16. That the application of J. Beume, 100 Adelaide Street West, Toronto, Ontario M5H 1S3, previously approved by City Council on 1991 July 30 to permit the encroachment of planter boxes and landscaping measuring 1.2m x 5.2m and now amended to provide for an aluminum post measuring 50mm x 150mm, be approved during the pleasure of Council provided:
- (a) That the owner enter into an agreement satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement these agreements.
  - (c) That the first year fee and subsequent annual fee be set for this encroachment.
17. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreements with the Owners for the estimated cost of services in:
- i. "BLOSSOM ESTATES", Hamilton  
City's Share \$ 118,238.39                      Subdivider's Share \$ 152,242.32
  - ii. "RYMAL SQUARE ESTATES - PHASE 1", Hamilton  
City's Share - Nil                                      Subdivider's Share \$ 143,397.39



- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements with the owners of "Blossom Estates" and "Rymal Square Estates - Phase 1".
  - (c) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plans and Subdivision Agreements have been registered.
  - (d) That in the event the Subdividers wish to proceed prior to the registration of the Final Plans and Subdivision Agreements, they should be allowed to do so at their own risk provided they enter into standard agreements for pre-servicing.
  - (e) That the City's share of costs for services in "Blossom Estates" (\$ 118,238.39) be approved and that the Finance and Administration Committee recommend the source of funding for these projects.
  - (f) That the City Solicitor be authorized and directed to prepare the necessary by-law (s) and any other documents required to establish Part 31, Registered Plan 62M-644 as part of Fano Drive road allowance. Said by-law is not to be registered until the Final Plan for Rymal Square Estates - Phase 1 is registered.
18. (a) That the additional funding in the amount of \$40,000. for the City's share of municipal services on Fieldway Drive, Millwood Place and a Public Walkway, Hamilton, be approved.
- (b) That the Finance and Administration Committee recommend the source of funding.
19. (a) That City Council delegate the authority to issue annual permits under Section 7(6)(a) of the City Traffic By-law No. 89-72, as amended, to the Commissioner of Transportation/Environmental Services;
- (b) That the City Traffic By-law No. 89-72, as amended, be further amended to reflect the delegation of authority as set out in recommendation (a).
20. (a) That the following City lands be incorporated into the streets as follows:
- |                 |          |                |
|-----------------|----------|----------------|
| Harbottle Court | Part 1   | Plan 62R-11994 |
| Sorrento Place  | Block 88 | Plan 62M-511   |

- (b) That the by-law to carry out the incorporation of the said lands into the foregoing streets be enacted by City Council.
  - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
21. (a) That an Offer to Purchase for the sale by the Corporation of the City of Hamilton to the Regional Municipality of Hamilton-Wentworth, scheduled to close on or before 1992 June 19 and an Authority to Enter by the Regional Municipality of Hamilton-Wentworth on the land described as:
- i. Part of Lot 6, Registrar's Compiled Plan 1479, having a frontage of 17.974 metres (58.97 feet), more or less, along the western limit of Longwood Road, comprising an area of 123.3 square metres (1,327.23 square feet), more or less, more particularly described as Part 17 on Plan 62R-11411, municipally known as part of 879 Main Street West, Hamilton;
  - ii. Part of Lot 6, Registrar's Compiled Plan 1479, having a frontage of 10.136 metres (33.255 feet), more or less, along the southern limit of Main Street West, comprising an area of 33.6 square metres (361.7 square feet), more or less, more particularly described as Part 16 on Plan 62R-11411, municipally known as part of 879 Main Street West, Hamilton;
  - iii. Part of Lot 6, Registrar's Compiled Plan 1479, having a frontage of 17.561 metres (57.615 feet), more or less, along the western limit of Longwood Road, comprising an area of 334.4 square metres (3,599.6 square feet), more or less, more particularly described as Parts 1 and 2 on Plan 62R-11779, municipally known as part of 877 Main Street West, Hamilton;
  - iv. Part of Lot 83, Registered Plan 703, having a frontage of 32.678 metres (107.41 feet), more or less, along the southern limit of Main Street West, and comprising an area of 58.6 square metres (630.4 square feet), more or less, more particularly described as Part 1 on Plan 62R-11466, municipally known as part of 88 Haddon Avenue South, Hamilton;

be approved and completed, and the funds derived from this sale of \$169,500. be credited to Account No. CH4X501 00102 (Sale of Property - Reserve for Property Purchase).

- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

22. (a) That an Offer to Purchase executed by Sheila Avery on 1992 March 23 and scheduled for closing on or before 1992 July 6, for the purchase of a surplus parcel of land between 94 and 96 Salem Avenue, having a frontage along the westerly limit of Salem Avenue of 2.62 metres (8.595 feet), being triangular in shape, containing 31.3 square metres (336.92 square feet), shown as Part 2 on Plan 62R-7084, be approved and completed and the funds derived from this sale of \$501. be credited to Account No. CH59050 30001 (Outside Recoveries).
- (b) That, as required, a deposit cheque in the amount of \$50. is being held by the City Treasurer, pending approval of this transaction.
- (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
23. (a) That Section 24 of the Twenty-Third Report of the Board of Control, approved by City Council on 1979 April 24, be amended to include the 13 properties to be conveyed to the Region for a nominal sum of \$1. for road widening purposes as outlined in Appendix "B" appended hereto. The lands conveyed will all form part of the Regional road system.
- (b) That the City Solicitor be authorized and directed to take the necessary action to finalize this transaction.
24. (a) That the City accept title to the land required for the extension of Acadia Drive from Reverend Alan and Florrie McGuirl, described as part of Lot 9, Concession 8, formerly in the geographic Township of Barton, now in the City of Hamilton, containing .162 acre (655.76 square metres) more or less, as outlined in Appendix "C" appended hereto, be approved and completed. Subject parcel forms part of the property known as 614 Stone Church Road East, and is scheduled to be conveyed to the City on or before 1992 May 29.
- (b) That the developer's solicitor prepares the necessary deed and certifies title to the City, the developer being Carriage Gate Homes.
25. (a) That the construction of the following projects proceed as Local Improvements pursuant to Section 12 of the Local Improvement Act:
- i. Upper Paradise Road east side from Stone Church Road to approximately 187m southerly and from approximately 86m south of Skyview Drive to approximately 83m southerly - independent concrete sidewalk at an estimated gross cost of twenty-seven thousand, seven hundred dollars (\$27,700.), City's share seven thousand, nine hundred and sixty-four dollars (\$7,964.), Owner's share nineteen thousand, seven hundred and thirty-six dollars (\$19,736.).



- ii. Upper Paradise Road west side from Stone Church Road to approximately 138m southerly - independent concrete sidewalk at an estimated gross cost of eleven thousand, four hundred dollars (\$11,400.), City's share three hundred and four dollars (\$304.), Owner's share eleven thousand and ninety-six dollars (\$11,096.).

All as provided for in the 1992 portion of the 1992 - 2001 Capital Budget; and,

- (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
  - (b) That the Senior Director of Roads be authorized to construct these works on behalf of the City once all of the necessary approvals have been received; and,
  - (d) That the City Clerk and Acting Treasurer be directed to give the necessary notice of City Council's intention to undertake these works.
26. (a) That the following City lands be closed, stopped-up and retained as follows:
- |  |  |
|--|--|
| All of Simcoe Street<br>and to grant a sewer<br>easement over part of<br>Simcoe Street | west of west limit of Bay Street<br><br><br><br>Parts 3,7,8,10, Plan 62R-12134 |
|--|--|
- (b) That the by-law to carry out the closing, stopping-up and retention of the foregoing be enacted by City Council.
  - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
27. (a) That a three-way stop control be implemented at the intersection of Tisdale Street and Erie Avenue.
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
28. (a) That the West Central Region Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton has no objection to Philip Environmental Services Corp. receiving an amendment to their existing Certificate of Approval No. A1001145 for a Waste Disposal Site (Processing) located at 799 - 800 Parkdale Avenue North, Hamilton; provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry, and that all applicable City of Hamilton and Regional by-laws are complied with fully.

- (b) That a copy of this report and its attachments be submitted to the West Central Region Branch of the Ministry of the Environment for their consideration in the preparation of the amendment to the Certificate of Approval regulating the operation of the facility proposed by Philip Environmental Services Corp.
29. That one of the two School Crossing Guards at the intersection of Quigley Road and Albright Road be relocated to Albright Road at Albright Court (private road).
30. (a) That a School Crossing Guard be hired on a temporary basis and assigned to the intersection of Glen Echo Drive and Nash Road during the morning and evening periods only; and
- (b) That the School Crossing Guard be removed if a traffic signal is installed at this location (investigations pending); and
- (c) That the School Crossing Guard at Mohawk Road East and Moxley Drive be removed.
31. That leave be granted to introduce the following Bills:
- |             |  |
|-------------|--|
| <b>A-39</b> | By-law to Incorporate Part 1, Plan 62R-11994 into Harbottle Court  |
| <b>A-40</b> | By-law to Incorporate Block 88, Plan 62M-511 into Sorrento Place   |
| <b>A-41</b> | By-law to Stop-up, Close and Retain the portion of Simcoe Street, West of the West Limit of Bay Street and to sell an easement in Parts 3, 7, 8 and 10 on Plan 62R-12134 |
| <b>A-42</b> | By-law to Amend By-law No. 89-72 to Regulate Traffic   |
| <b>A-43</b> | By-law to Amend By-law No. 89-72 to Regulate Traffic   |

Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRPERSON  
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson  
Secretary**

**1992 May 4**

Appendix "A" as referred to in  
Section 15 of the SIXTH Report  
of the Transport and Environment  
Committee for 1992

<u>Location</u>	<u>Type of Encroachment</u>	<u>Solicitor/Agent</u>	<u>First Year/Annual</u>	<u>File Number</u>
116 Crosthwaite Ave. N.	A frame appendage measuring 1.2' x 6.95'	Joel B. Kerr Barrister and Solicitor Hamilton Ontario L8P 2Z6	\$112.00/20.00	T103-50(982)
19 South Street	Wood Steps measuring 1.55' x 1.2' Frame Garage measuring 0.63'X12.5'	W. Ian Gordon P.O. Box 930 Stn A Hamilton Ontario L8N 3P9	\$112.00/20.00	T103-50 (981)
50 Hyde Park Ave.	Wood Steps measuring 5.33' x 9.0'	Evans, Husband Barristers and Solicitors 20 Hughson Street South Hamilton Ontario L8N 2A1	\$112.00/20.00	T103-50 (949)



Appendix "B" as referred to in  
Section 23 of the SIXTH Report  
of the Transport and Environment  
Committee for 1992

The locations of the lands are as follows:

Parcel 1 - King Street East west of Mayhurst Avenue

Parcel 2 - Cannon Street between Wellington and West Avenue

Parcel 3 - Upper Sherman Avenue north of Stone Church .

Parcel 4 - Rymal Road East

Parcel 5 - Mohawk Road east of Upper Kenilworth

Parcel 6 - Upper Paradise Road

Parcel 7 - Upper Paradise Road

• Parcel 8 - Burlington Street east of Kenilworth

• Parcel 9 - Upper Wellington north of Limeridge

• Parcel 10 - King Street west of Parkdale

Parcel 11 - Upper Wentworth south of Stone Church

Parcel 12 - Stone Church Road East west of Quinn Avenue

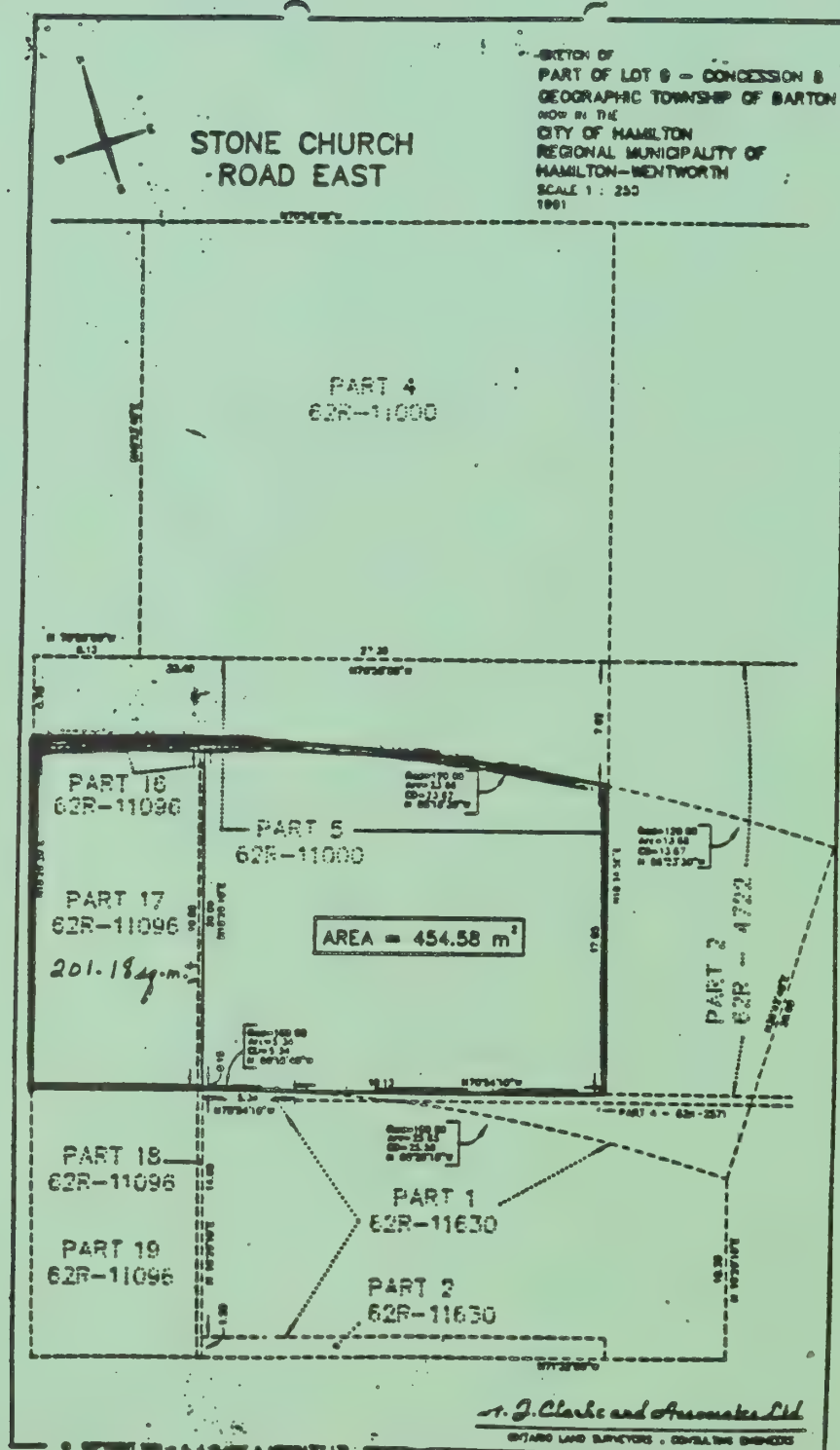
Parcel 13 - Stone Church Road East west of Quinn Avenue

Parcel 14 - North\West corner Main and Kenilworth

Parcel 15 - South\West corner of Stone Church and Upper Wentworth

• Approved by City Council in 1979 but never conveyed.

Appendix "C" as referred to in  
Section 24 of the SIXTH Report  
of the Transport and Environment  
Committee for 1992









## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its NINTH Report for 1992 and respectfully recommends:

1. That permission be granted to the Hamilton Ladies Slo-Pitch Association to sell alcoholic beverages during the occasion of their Opening Day Baseball Game, scheduled at Globe Park on 1992 May 31 under the terms and conditions which includes the following:
  - (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
  - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
  - (c) That the Concessionaire be contacted to make the necessary arrangements for the provision of food.
  - (d) That the applicant assume responsibility for all labour-related costs as a result of this event.
  - (e) That Special Duty Officers, as may be deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense.
2. That approval be given to the Greenhill Co-operative Corporation to hold a fireworks display on City property located at Quigley Road and Greenhill Avenue on Monday, 1992 May 18, raindate 1992 May 24, subject to the following terms and conditions:
  - (a) That a licensed operator be responsible for carrying out the fireworks display.
  - (b) That Greenhill Co-operative Corporation has in place a \$2 million Insurance Policy for Public Liability for Property Damage and Bodily Injury, naming the City as co-insured.

3. That approval be given to North Central Baseball League to hold a fireworks display on City property located at Mars Avenue and Wentworth Street on Monday, 1992 May 18, in conjunction with their season's opening baseball game, which includes a park dance and barbecue, subject to the following terms and conditions:

That North Central Baseball League has in place a \$2 million Insurance Policy for Public Liability for Property Damage and Bodily Injury, naming the City as co-insured.

4. That a purchase order be issued to O. Ciccarelli & Sons Contracting, Ancaster in the amount of \$82,970. plus applicable taxes for grass cutting and trimming at Eastlawn and Mount Hamilton cemeteries during 1992, 1993 and 1994, being the lowest acceptable of six tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Grass Cutting Account No. CH56344 63155.
5. That a purchase order be issued to Greenspace Services Ltd. o/a Chemlawn, Burlington, in the amount of \$178,260. plus applicable taxes, being the lowest of five tenders received, for grass spraying at various locations during 1992, 1993 and 1994, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through various approved accounts.
6.
  - (a) That James Strecker be approved as the 1992 Recipient of the Hamilton Arts Award.
  - (b) That the Annual Hamilton Arts Award grant in the amount of \$500. be awarded to Mr. Strecker at the Proclamation Day ceremonies for Arts Awareness Month, Friday, 1992 May 22nd. Funds provided for in Account No. CH5A100 20020, Hamilton Arts Award.
7.
  - (a) That approval be given to enter into a contract with F.J. Reinders and Associates Canada Ltd., Brampton, Ontario, in the amount of \$113,420. including all taxes, to provide consulting services for the design and contract administration of Shoreline Protection for Pier-4 Park and Harbourfront Park.
  - (b) That the amount of \$45,983.25 be funded from Account No. CF5010 419054007 for Pier-4 Park and the amount of \$67,436.75 be funded from Account No. CF5200 419254001 for Harbourfront Park.
  - (c) That a contract satisfactory to the City Solicitor be entered into between the City and the Consultant, F.J. Reinders and Associates Canada Ltd., of Brampton.
  - (c) That the Mayor and the City Clerk execute the Contract on behalf of the City.

8.
  - (a) That a purchase order be issued to Philip Enterprises Inc. Hamilton, in the amount of \$4,310,865.69 including all taxes for the removal and disposal of hazardous soils from the Harbourfront Park, being the lowest of eleven tenders received, in accordance with the specifications issued by the Manager of Purchasing and Vendor's tender.
  - (b) That the total cost of \$4,310,865.69 be funded from Account No. CF5200 419254001, Harbourfront Park Remediation.
  - (c) That a contract satisfactory to the City Solicitor be entered into between the City and Philip Enterprises Inc. Hamilton.
  - (d) That the Mayor and the City Clerk execute the contract on behalf of the City.
9.
  - (a) That approval be given to enter into a contract with Taylor/Hazell Architects, 277 Front Street East, Suite 400, Toronto, Ontario as the Prime Consultant for the Dundurn Restoration. The contract amount will be \$63,765.25.
  - (b) That a contract satisfactory to the City Solicitor be entered into between the City and the Prime Consultant Taylor/Hazell Architects.
  - (c) That the Mayor and the City Clerk execute the contract on behalf of the City.
10.
  - (a) That approval be given to enter into a contract with Taylor/Hazell Architects, 277 Front Street East, Suite 400, Toronto, Ontario as the Prime Consultant for the Whitehern Restoration. The contract amount will be \$37,017.50.
  - (b) That a contract satisfactory to the City Solicitor be entered into between the City and the Prime Consultant Taylor/Hazell Architects.
  - (c) That the Mayor and the City Clerk execute the contract on behalf of the City.



11. That the Cari-Can Festival organizers be granted permission to sell food and alcoholic beverages on the occasion of the Cari-Can Festival, 1992 August 21 to August 23 in Eastwood Park/Arena, subject to the following terms and conditions:
- (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury be provided, same to be submitted 30 days in advance of the event and naming the City as co-insured.
  - (b) That the applicant assume responsibility for all labour-related charges associated with the event (set-up, dismantling, clean-up etc.) in the park.
  - (c) That alcoholic beverages be served in the confined area of the Arena/restricted area.
  - (d) That the applicant adhere to all regulations stipulated by the Liquor Licence Board in the provision of alcoholic beverages.
  - (e) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
  - (f) That all activities be monitored by Special Events Advisory Team.
12. (a) That the Tariff of Charges for City-owned cemeteries as outlined in Appendix "A" appended hereto, be approved and implemented on 1992 April 20.
- (b) That the City Solicitor be authorized and directed to prepare a by-law to amend Cemetery By-law No. 8861 so as to provide for the increase in the Tariff of Charges.
13. That the Region of Hamilton-Wentworth's Health and Social Services Committee be requested to pay the approved 1992 Tariff of Charges for City-owned cemeteries to offset the approximate \$12,000. in costs that the City of Hamilton's Cemetery Division will incur for the burials and the costs of crypts throughout 1992.

**Respectfully Submitted,**

**ALDERMAN T. JACKSON, CHAIRPERSON  
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson  
Secretary**

**1992 May 5**

Appendix "A" as referred to in  
Section 12 of the NINTH Report  
of the Parks and Recreation  
Committee for 1992

HAMILTON MUNICIPAL CEMETERIES' TARIFF OF CHARGES

APRIL 20, 1992

(Cemeteries By-Law No. 8861)

		Resident and Non-Resident <u>Realty Taxpayers</u>		<u>Non-Residents</u>		
<u>GRAVES AND LOTS</u>		<u>G.S.T.</u>	<u>TOTAL</u>	<u>G.S.T.</u>	<u>TOTAL</u>	
Adult Single In A Row Grave..... (Graves cannot be selected or purchased in advance but are opened in sequence)	417.00	29.19	446.19	515.00	36.05	551.05
Adult Single Grave..... (Where grave may be selected and purchased in advance of need)	697.00	48.79	745.79	862.00	60.34	922.34
Child Single In A Row Grave						
Case up to 60".....	100.00	7.00	107.00	130.00	9.10	139.10
Case 61" to 72".....	148.00	10.36	158.36	193.00	13.51	206.51
Baby Special Grave..... (Multiple burials - up to one month old)	44.00	3.08	47.08	46.00	3.22	49.22
Urn Garden Grave.....	232.00	16.24	248.24	282.00	19.74	301.74
Columbarium.....	859.00	60.13	919.13			
Veteran's Grave.....	396.00	27.72	423.72			
Two-Grave Lot.....	1,599.00	111.93	1,710.93	1,993.00	139.51	2,132.51
Two-Grave Lot - Eastlawn Section 15, 16 (6' burials only)	1,305.00	91.35	1,396.35	1,630.00	114.10	1,744.10
Three-Grave Lot - Woodland.....	2,388.00	167.16	2,555.16	2,987.00	209.09	3,196.09
Four-Grave Lot - Woodland Section 21, 25 - Eastlawn Section 19..	3,130.00	219.10	3,349.10	3,980.00	278.60	4,258.60
Four-Grave Lot - Woodland Section 15..	5,782.00	404.74	6,186.74	7,223.00	505.61	7,728.61
Four-Grave Lot - Trinity.....	2,941.00	205.87	3,146.87	3,733.00	261.31	3,994.31
Mansion of Memories - Mausoleum Crypt..	1,114.00	77.98	1,191.98	1,224.00	85.68	1,309.68

NOTE: 40% of all Grave and Lot Sales goes into Perpetual Care

# HAMILTON MUNICIPAL CEMETERIES' TARIFF OF CHARGES

APRIL 20, 1992

	Resident and Non-Resident Realty Taxpayers		Non-Residents	
	G.S.T.	TOTAL	G.S.T.	TOTAL
<u>OPENING AND CLOSING</u>				
6 ft. Adult.....	423.00	29.61	452.61	490.00
8 ft. Adult.....	570.00	39.90	609.90	634.00
6 ft. Child - case up to 42".....	256.00	17.92	273.92	376.00
- case 43" - 60".....	291.00	20.37	311.37	412.00
- case 61" - 72".....	322.00	22.54	344.54	465.00
8 ft. Child - case up to 60".....	322.00	22.54	344.54	465.00
- case 61" - 72".....	358.00	25.06	383.06	515.00
Baby Special - Multiple burials - Up to one month old..	57.00	3.99	60.99	86.00
Cremation.....	137.00	9.59	146.59	196.00
Columbarium.....	90.00	6.30	96.30	
Mansion of Memories - Stoney Creek- New Crypts only....	349.00	24.43	373.43	409.00
				28.63
				437.63
<u>LOWERING</u> (Opening Charges not included)				
<u>Adult</u>				
From 6 ft. to 8 ft. - Shell.....	282.00	19.74	301.74	428.00
From 6 ft. to 8 ft. - Steel Vault...	551.00	38.57	589.57	824.00
From 6 ft. to 8 ft. - Concrete Vault	657.00	45.99	702.99	988.00
<u>Child</u>				
From 6 ft. to 8 ft. - 5 to 10 years.	196.00	13.72	209.72	291.00
From 6 ft. to 8 ft. - under 5 years.	94.00	6.58	100.58	138.00
				20.37
				311.37
				9.66
				147.66
<u>REMOVALS</u>				
Adult - Shell.....	1,488.00	104.16	1,592.16	2,290.00
- Concrete Vault or Crypt.....	1,214.00	84.98	1,298.98	1,817.00
Child - Shell	353.00	24.71	377.71	550.00
- Concrete Vault or Crypt.....	378.00	26.46	404.46	560.00
Cremation.....	137.00	9.59	146.59	196.00
				13.72
				209.72
<u>ADDITIONAL SERVICES</u>				
			G.S.T.	TOTAL
<u>CRYPTS</u>				
Child.....			272.00	19.04
Youth.....			285.00	19.95
Standard.....			297.00	20.79
Intermediate.....			305.00	21.35
Oversize.....			324.00	22.68
<u>PLANTING</u>				
Preparing ground and planting flowers -per grave....			40.00	2.80
Preparing ground and planting one shrub.....			51.00	3.57
(Flowers and shrubs are to be provided by the family at their expense)				
<u>MISC.</u>				
Tent in cemetery.....			126.00	8.82
Rental of tent outside cemetery.....			172.00	12.04
Rental of dressing to use outside cemetery.....			137.00	9.59
Rental of lowering device outside cemetery.....			137.00	9.59
Transfer Fee \$2.00 + Research \$44.00.....			26.00	1.82
Inscription Fee on Columbarium Niche.....			240.00	16.80
				256.80

# HAMILTON MUNICIPAL CEMETERIES' TARIFF OF CHARGES

APRIL 20, 1992

FOUNDATIONS AND MARKERS	Resident and Non-Resident Realty Taxpayers		Non-Residents	
	G.S.T.	TOTAL	G.S.T.	TOTAL
*Foundation - pouring per square inch of surface area (to be poured 6 ft. deep) .....	.94	+7%	1.41	+7%
*Marker Setting Fee (maximum size 24" long x 18" wide) (thickness 8" maximum - 4" minimum)	114.00	7.98	121.98	177.00
Social Service Marker .....	114.00	7.98	121.98	154.00
Bronze Vase .....	114.00	7.98	121.98	177.00
D.V.A. Upright .....	96.00	6.72	102.72	
D.V.A. Flat .....	96.00	6.72	102.72	

## Preferred Singles

Only a flat marker 24" in length and 18" in width is permitted.

## Singles Graves in a Row

A flat granite marker, maximum length 24" and width 18" is permitted.

## Urn Garden Section

Only a flat marker 12" in length and 10" in width is permitted.

## Children's Section

Only a flat marker 18" in length and 14" in width is permitted.

## Two-Grave Lot Section

Upright monument is allowed, maximum length of base must not exceed 3'2" (38"), and maximum width must not exceed 1'2" (14"). All bases must be at least 6" in height. The total over-all height of any memorial must not exceed 4' (48"). All memorial bases must have a projection of at least 3" on all sides from the edge of the die or cross.

## Three and Four-Grave Lot Section

Maximum base area not to exceed 10% of lot area. Total overall height to be governed by base size for appearance and balance. All memorial bases must have a projection of at least 3" on all sides from the edge of the die or cross.

\*NOTE: As of July 1, 1992, there will be an additional charge which will be for the Care and Maintenance Fund for markers and upright monuments as follows:  
(a) Any flat marker under 173 square inches - no charge  
(b) Any flat marker over 173 square inches - \$50.00  
(c) Any upright monument 4 ft. or under in length and height - \$100.00  
(d) Any upright monument over 4 ft. in either length or height - \$200.00  
Upright height includes the base.









## **REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **NINTH** Report for 1992 and respectfully recommends:

1.     (a) That City Council give approval to designate by by-law, the St. Clair Boulevard Heritage Conservation District as outlined on the map attached hereto and marked as Appendix "A", under Part V of the Ontario Heritage Act, 1983.  
  
       (b) That the City Solicitor be authorized and directed to take appropriate action to have this District designated pursuant to the provisions of the Ontario Heritage Act, 1983.  
  
       (c) That City Council adopt by resolution the St. Clair Heritage Conservation District Plan. (Previously distributed to all members of City Council)
2.     That the City Clerk be authorized and directed to notify the Administrator of Licences for the Regional Municipality of Hamilton-Wentworth, that the City of Hamilton's Building Inspectors and the Chief Building Official as appointed by By-law 92-094, and any amendments thereto, be appointed as Trade Licence Inspectors.
3.     That the Building Commissioner be authorized to issue a demolition permit for 1437 Barton Street East, subject to owner submitting proof that the title of the lands located at 1437 and 1441 Barton Street East have merged.
4.     That a Commercial Facade Loan in the amount of fifteen thousand dollars (\$15,000.) be approved for 914914 Ontario Inc., Howard's Flower Shop c/o Gerald Carey, 84 1/2 Ottawa Street North, Hamilton at 4 1/8 percent interest amortized over 10 years.



5.
  - (a) That the Planning and Development Committee recommend to City Council that the comments contained in the report "City of Hamilton Comments on Vision 2020 - The Draft Vision Statement of the Regional Chairman's Task Force on Sustainable Development", attached hereto as Appendix "B", be endorsed; and,
  - (b) That the City Clerk be directed to advise the Regional Chairman's Task Force on Sustainable Development of City Council's endorsement.
6. That approval be given to Zoning Application 91-63, Robert Shelly Construction Limited, owner, requesting a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District to permit the development of the subject lands for small lot single family dwellings for property located north of Rockview Avenue, west of the proposed extension of Crerar Drive, as shown on the attached map marked as Appendix "C", on the following basis:
  - (a) That the subject lands be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;
  - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, and Zoning District Map E-18B for presentation to City Council; and,
  - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
7. That approval be given to amended Zoning Application 92-01, 603815 Ontario Inc. (Dave Armstrong), owner, for a further modification to the established "C" (Urban Protected Residential, etc.) District regulations to permit the temporary use of lands and the existing building for the sale of new and used cars for a further three year period, for property located at 1492 Upper James Street, as shown on the attached map marked as Appendix "D" on the following basis:
  - (a) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, as amended by By-law No. 90- 227 applicable to the subject lands, be further modified in accordance with Section 38 of the Planning Act, R.S.O. 1983, to permit the temporary use of the lands and the existing building(s) only, for the sale of new and used automobiles for a further maximum period of three years;
  - (b) That notwithstanding Section 9.(1) of By-law No. 6593, one pylon sign will be permitted on the lot in accordance with the requirements of Section 14A(3)(a) of By-law No. 6593;

- (c) That notwithstanding Section 18.(3)(ivc)(b) of Zoning By-law No. 6593, a minimum 3.0 m wide landscaped planting strip shall be provided and maintained only along the northerly lot line;
  - (d) That notwithstanding Section 18(3)(ivc)(c) of Zoning By-law No. 6593, no visual barrier shall be required;
  - (e) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-939b, and that the subject lands on Zoning District Map W-9D be notated S-939b;
  - (f) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-9D for presentation to City Council;
  - (g) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
8. The approval be given to Zoning Application 92-05, James and Felicia Capuccinello Iraci, owners, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the creation of a single-family dwelling lot, for property located at 50 Christopher Drive, as shown on the attached map marked as Appendix "E" on the following basis:
- (a) The subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
  - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9E for presentation to City Council; and,
  - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
9. That approval be given to Zoning Application 92-04, 800064 Ontario Inc. (A. DiSilvestro), owner, requesting the removal of the "H" (Holding) symbol provision under Section 35(1) of the Planning Act, to permit the development of the subject lands for single-family dwellings (Blocks "1", "2", & "3"), small lot single-family dwellings (Block "4") and townhouse dwellings (Block "5"), and the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, as amended by By-law 90-311, and Zoning District Map E-27D for presentation to City Council for the property located at 480 Rymal Road West, shown as Blocks "1", "2", "3", "4" & "5" on the attached map marked as Appendix "F".

10. That pursuant to the decision of the Planning and Development Committee at its meeting of 1992 April 8:
- (a) That approval be given to application 25T-90018, Carriage Gate Homes Ltd., owner, to establish a draft plan of subdivision in the area west of Upper Sherman Avenue and south of Stone Church Road East, subject to the following conditions:
    - (i) That approval apply to the plan prepared by A. J. Clarke and Associates Ltd., dated March 27, 1990, revised by adjusting the lot lines to eliminate Block 23 and other minor lotting changes, now showing 22 lots and a block for 0.3 m reserve.
    - (ii) That the final plan not be approved until such as municipal sewers and water and road access are available to service the lands.
    - (iii) That the street be dedicated to the City of Hamilton as public highway on the final plan.
    - (iv) That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
    - (v) That the final plan conform to the Zoning By-law approved under the Planning Act.
    - (vi) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
    - (vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the total area of the subdivision in the final plan.
    - (viii) That the owner make cash payment in lieu of the conveyance of 5% of the land included in the final plan to the City of Hamilton for park purposes.
    - (ix) That the dead-end of the road allowance created by the plan be terminated in an 0.3m reserve to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowance.
    - (x) That the owner erect a sign in accordance with Section XI of the subsequent subdivision agreement prior to the issuance of a final release by the City of Hamilton.



(xi) That the owner agree, in writing, to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

(b) That the subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (25T-90018), Carriage Gate Homes Ltd., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

(c) That the neighbourhood plan road pattern be changed accordingly.

11. That leave be granted to introduce the following Bills:

(a) Bill C-54 A By-law to adopt Official Plan Amendment No. 110 respecting lands located on the west side of Bow Valley Drive and south of Highridge Avenue within the Riverdale East Neighbourhood

(b) Bill C-55 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 86-179

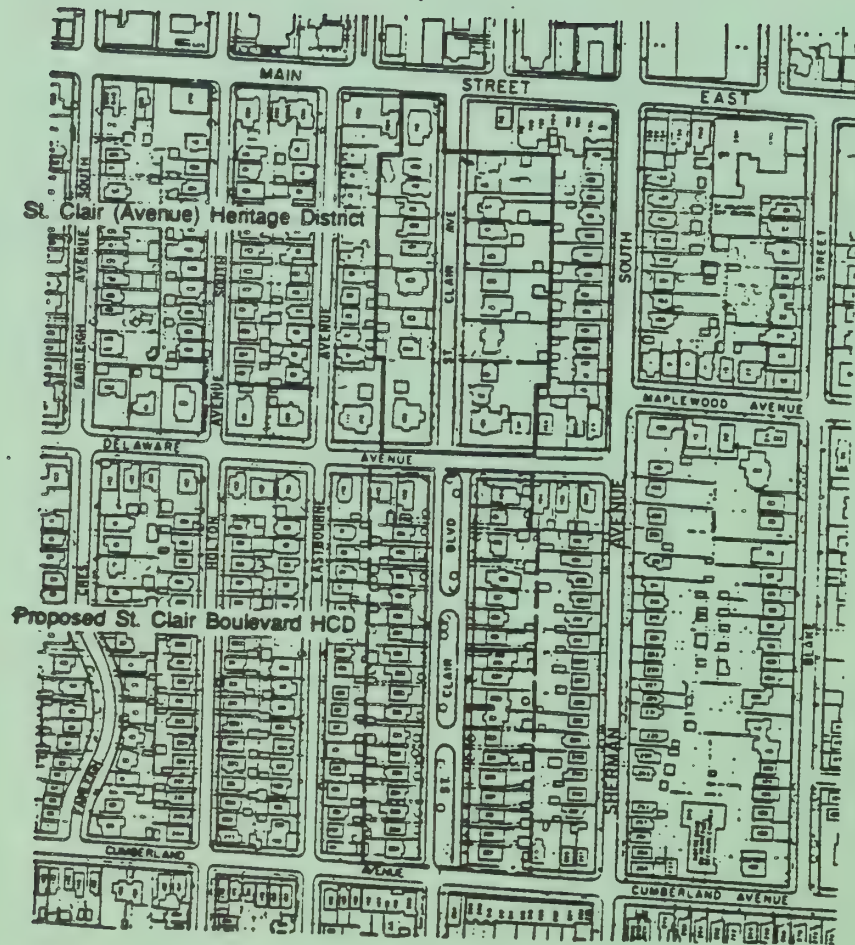
Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello  
Secretary  
1992 May 6



Appendix "A" referred to  
in Section 1 of the Ninth  
Report of the Planning and  
Development Committee for 1992



Map showing the proposed St. Clair Boulevard Heritage Conservation District, directly south of the existing St. Clair (Avenue) Heritage District

Appendix "B" referred to  
in Section 5(a) of the Ninth  
Report of the Planning and  
Development Committee for 1992

COMMENTS ON VISION 2020: THE DRAFT VISION STATEMENT OF THE  
REGIONAL CHAIRMAN'S TASK FORCE ON SUSTAINABLE DEVELOPMENT

The members of the Task Force and the members of the working groups are to be congratulated for the work they have accomplished and the consensus reached on a broad range of difficult Regional issues. The Vision Statement contains broad principles regarding sustainable development and, in very general terms, these principles can be supported. However, the following comments of the City of Hamilton are noted which could be used to strengthen the Vision:

- Sustainable Development Defined

The Task Force defines sustainable development as follows: "Sustainable development requires the integration of economic, environmental and social factors in both private and public decision making to ensure a viable future for us all."

While the definition is broad, the inclusion of the phrase "private decision making" is problematic in that private decisions are made at many levels ranging from individuals to large corporations. It is unclear as to the context for including "private decision making" in the definition. In addition, the Task Force may wish to recognize that the Region cannot mandate private decision making. Further, it must be recognized that all levels of Government need to work together with private interests to achieve solutions.

- Principles of Sustainable Development

The Vision Statement contains the following four principles on sustainable development:

- "1. the fulfilment of human needs for peace, clean air and water, food, shelter, education, and useful and satisfying employment;"

Comment: While all persons would support and desire "useful and satisfying employment", this is a subjective description based on individual interpretation. Useful and satisfying employment is not within the realm or control of Regional government. However, the Region can work to develop opportunities for productive employment for Hamilton-Wentworth's citizens.

- "2. the maintenance of ecological integrity through careful management, rehabilitation, reduction in wastes and protection of diverse and important natural species and systems;"

Comment: This principle can be supported.

- "3. provision for self-determination through public involvement in the definition and development of local solutions to environmental and development problems; and,"

Comment: The City of Hamilton supports broad-based community decision-making in all areas of municipal responsibility. However, the term "development" is unclear and should be defined.

- "4. achievement of equity with the fairest possible sharing of limited resources among contemporaries and between our generation and our descendants."

Comment: The idea of equitable distribution of resources and equitable access to resources is certainly a laudable goal; however, it is implied there are inequities at present. This principle of equity requires further explanation.

#### The Vision

The Vision Statement is separated into the following categories: Overview; The Landscape; Our Communities; Getting Around; Quality of Life; and Livelihood. Each is summarized below and, where applicable, comments are provided.

##### a) Overview

The overview, in part, states: "In the year 2020, Hamilton-Wentworth is home to approximately 1/2 million people, living in a region made up of compact urban core areas, surrounded by a rural landscape that includes productive farms, hamlets, and a continuous network of natural areas." While this is a supportable objective, there is no recognition of the existing built urban form in Hamilton-Wentworth nor is there a link established between the present built urban form and the Vision outlined in this statement. The role of the Central Area of the City of Hamilton should also be strengthened and recognized. The Task Force must recognize the present built urban form will to a very large extent constitute the built urban form in future years.

##### b) The Landscape

Within this section, there are inferences made to existing problems which may in fact not exist. For example, the Vision states that "Citizens abide by environmental laws and regulations ... ." Implicit within this statement is the idea that citizens currently do not abide by environmental laws and regulations. The Task Force may wish to re-examine the style in which the document is written to clarify the intent of statements such as this.



Reference is made in this section to the evaluation of private initiatives. It should be noted that, within the realm of Regional government, the opportunities to directly review and evaluate private initiatives is limited. The Task Force may wish to clarify the intent of this term.

c) Our Communities

The Vision presented within this section is one of mixed land use with opportunities for employment and residence in close geographical proximity. While this is an idealized community, it should be recognized that not all persons choose to live in such a community. There will continue to be a significant number of families and individuals who prefer a more suburban style of community and opportunities for all preferences should be recognized within the Vision.

d) Getting Around

The central theme of this section of the Vision is a move away from the automobile as the central means of transportation. Also emphasized is the use of public transit, bicycles, and walking as the predominant means of transportation. Given the persistent decrease in public transit ridership and that our region has been developed around the auto, this Vision may be difficult to achieve. In this event, the challenge could be viewed as how to incorporate the use of the automobile into our communities' designs without allowing the automobile to dominate our physical community.

e) Quality of Life

Within this section, the Vision Statement addresses those needs which should be fulfilled within our community. These include: shelter, income, food, and education. Our community should also be integrated, safe, and non-violent. These are general principles which are important goal statements for our community to strive towards.

There are two specific concerns with particular statements which the Task Force may wish to re-examine. First, the statement "disease and disability are being progressively reduced." It should be recognized that eliminating disabilities is something that may in fact never happen. Another important goal is to strive for the full integration of persons that are physically and mentally challenged into our communities in every manner.



ST FIFTH ST.

SITE PLAN CONTROL BY-LAW 86-202

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G/S-939a

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REGINA DRIVE

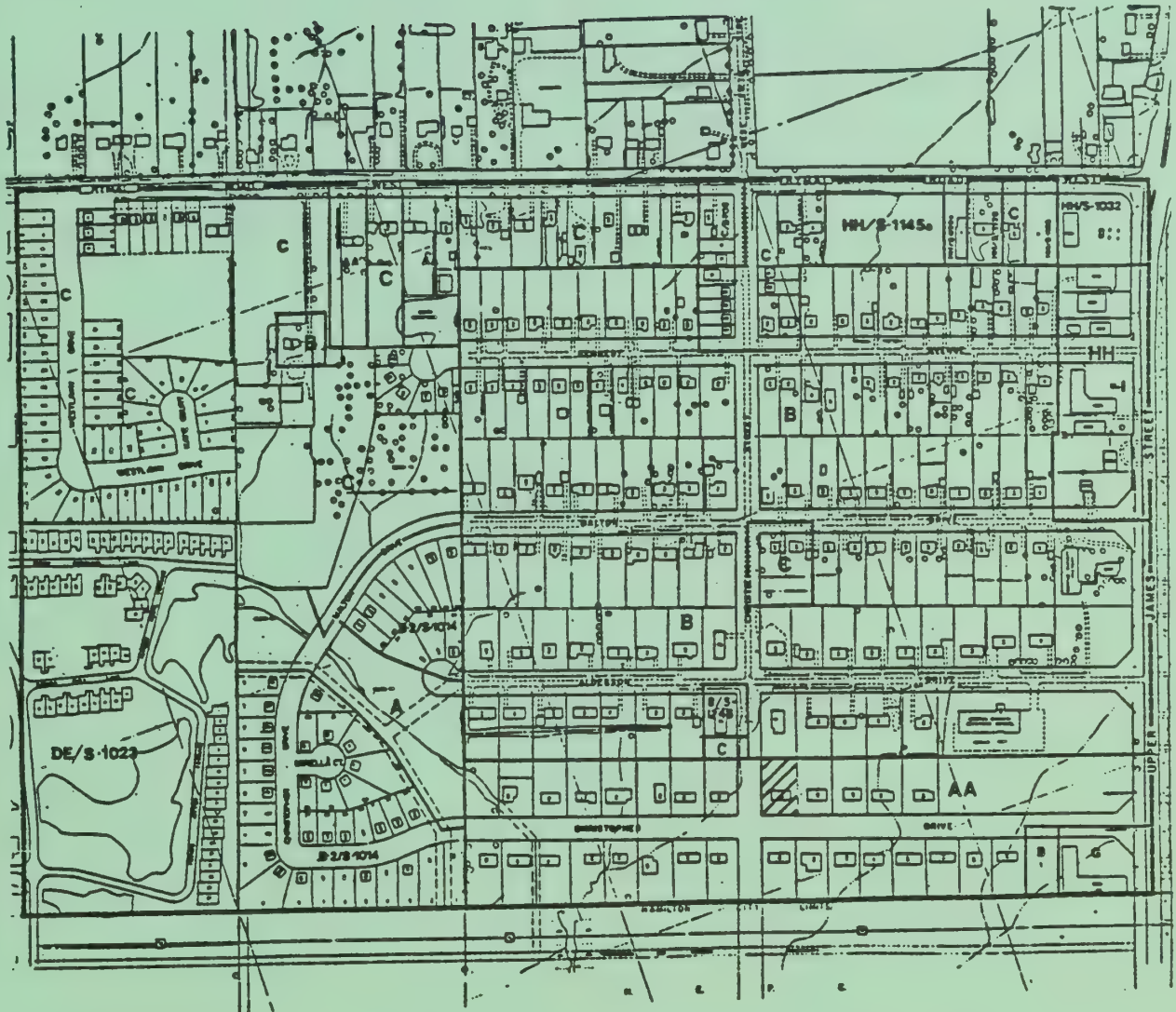
JAMES STREET

UPPER

Development Committee for 1992



Appendix "E" referred to  
in Section 8 of the Ninth  
Report of the Planning and  
Development Committee for 1992



Legend








Site of the Application



ZA-92-05

### Removal of the "H" Holding Provision from the:

BLOCKS 1 & 2		"C" (Urban Protected Residential, etc.) District.
BLOCK 3		"C" (Urban Protected Residential, etc.) District, modified.
BLOCK 4		"R-4" (Small Lot Single-Family Residential) District.
BLOCK 5		"RT-20" (Townhouse-Maisonette) District.
BLOCK 6		"H" Holding Provision to Remain For: "C" - "H" (Urban Protected Residential, etc. - Holding) District.











## REPORT OF THE SPECIAL COMMITTEE TO ADMINISTER THE HAMILTON-SCOURGE PROJECT

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Special Committee to Administer the Hamilton-Scourge Project presents its **FIRST** Report for 1992 and respectfully recommends:

- 1) That the Hamilton-Scourge Project, Jason Underwater Archaeological Report prepared by Dr. Margaret Rule, C.B.E.F.S.A., copies of which have been previously submitted to all members of City Council, be approved and the recommendations accepted for action by the Director of Culture and Recreation.
- 2) That the Director of Culture and Recreation be authorized and directed to initiate the application process with the Ministry of Culture and Communications Officials to request approval for a licence for a Hamilton-Scourge discovery and articles recovery dive.
- 3) That the Director of Culture and Recreation be authorized and directed to investigate the viability of Canadian Centre for Inland Waters undertaking the proposed second quarter dive.
- 4) That \$5,000.00 be set aside from the 1992 operating funds of the Hamilton-Scourge Project for a long range fundraising plan to include:
  - a) research/training,
  - b) organizational/writing
  - c) and that the Fundraising Plan be submitted by 1 November 1992.
- 5) That the Hamilton-Scourge Project's Ship's Boat Replica be authorized to participate in Niagara-On-The-Lake Bi-Centennial Ceremonies - July 1st weekend and that Captain G. Bibby and crew be requested to participate on behalf of the City of Hamilton.
- 6) That the Hamilton-Scourge Project Conservator's British Council Conservation Exchange report, copies of which have been previously submitted to all members of City Council, be approved in order to complete post grant request.

- 7) That the Replica Mast be reinstalled at the Hamilton-Scourge Memorial Site in Confederation Park at a cost not to exceed \$2,700.00 (includes \$700.00 for winterizing of parts of the mast) and that this expenditure be financed from Account No. CH57101-73001.

Respectfully submitted,

S. J. Dembe, Secretary  
April 30, 1992

ALDERMAN W. M. McCULLOCH,  
CHAIRPERSON







## REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWELFTH** Report for 1992 and respectfully recommends:

1. That the fees paid to the City Doctor be increased by 4% effective 1992 January 1.
2. That the salary classification for the following non-union position in the Traffic Services Department be approved as follows:

<u>Position:</u>	<u>Function:</u>	<u>Grade:</u>	<u>Salary:</u>
Chief Drafting Technician	Supervise staff in the drafting section and co-ordinate work flow. Perform traffic design functions and produce drafting evaluation assignments.	M	\$40,640.60- \$47,819.20

3. That, in order to correct an error in Appendix "A" of the Capital Budget submission to City Council 1992 March 27, that Project No. 126.0 "Chedoke Mountain Steps", incorporated in the Council Agenda under Page C5 of Section 1(a) of Appendix "A", with a starting date incorrectly stated as 1994, be revised to the correctly approved year of 1998.
4. That as referred to in Section 25 of the Sixth Report of the Transport and Environment Committee for 1992, the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct the following projects:
  - (a) Upper Paradise Road east side from Stone Church Road to approximately 187m southerly and from approximately 86m south of Skyview Drive to approximately 83m southerly - independent concrete sidewalk at an estimated gross cost of \$27,700. with a City's share of \$7,964. to be financed from 1992 Capital Levy and the balance of \$19,736., being the Owner's share, to be financed by the issuance of debenture for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$19,736. for a term not to exceed 20 years for the above project.

- (b) Upper Paradise Road west side from Stone Church Road to approximately 138m southerly - independent concrete sidewalk at an estimated gross cost of \$11,400., with a City's share of \$304. to be financed from 1992 Capital Levy and the balance of \$11,096., being the Owner's share, to be financed by the issuance of debenture for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$11,096. for a term not to exceed 20 years for the above project.
5. That as referred to in Section 18 of the Sixth Report of the Transport and Environment Committee for 1992, the City's Share of Services for the construction of Municipal Services on Fieldway Drive, Millwood Place and Public Walkway in Hamilton in the additional amount of \$40,000. be financed from the Reserve for City's Share of Services through Unsubdivided Lands, and the total cost of this project be revised from the previously authorized \$166,719. to the revised amount of \$206,719.
6. That as referred to in Section 17 of the Sixth Report of the Transport and Environment Committee for 1992, the City's Share of Services for the Blossom Estates Subdivision in the amount of \$118,238.39 be financed from the Reserve for City's Share of Services through Unsubdivided Lands.
7. That a purchase order be issued to Oakville Custom Swim Pools Ltd., Oakville, in the amount of \$65,371. including all taxes to renovate the pool filtration system at Jimmy Thompson Memorial Pool, King Street East, Hamilton, being the lowest of two quotations received, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed through Operating Supplies Account No. CH56103 31330.
8. (a) That authorization be given to the Manager of Purchasing to issue a purchase order to Honeywell Limited, Hamilton, for annual preventative maintenance of the Honeywell building automation controls for Hamilton Place, Hamilton Convention Centre and Copps Coliseum, in the annual amounts listed below for 1992 and that these expenditures be financed through various approved accounts, as follows:
- |       |                            |            |
|-------|----------------------------|------------|
| (i)   | Hamilton Place             | \$ 18,068. |
| (ii)  | Hamilton Convention Centre | 40,296.    |
| (iii) | Copps Coliseum             | 125,376.   |
- (b) That this authorization allow for the renewal of the maintenance agreements including any inflationary increase for 1993 and 1994.

9. That civic silver pins be awarded to the following members of the 1991 and 1992 Blessed Sacrament Minor Bantam Basketball Teams for winning the 1991 and 1992 Provincial Championships:

Enzo Antonucci	Jesse Horner	Matt Milos
Neil Belot	Marcus Jankus	Vincent Pugliese
Scott Craven	Vic Jankus (Coach)	Neil Quinto
Jonathan Curtis	Scott Johnson	Lucas Richardson
Paul Dixon	Ted Kalnins	Jim Robinson (Coach)
Josh Docstator	Ron Laidman	Brian Taylor
Brian Donelson	Michael Leskovec	Leigh Taylor
Matthew Erdman	Rick Matthew (Manager)	Kyle Yeomans
Serge Fuca	Taylor Matthew	

10. That permission be granted to Westdale Secondary School to use the east and west areas of the second floor foyer to display Grade 13 Students Art Work from Monday, 1992 June 22 to 26 inclusive.
11. (a) That the Manager, Property Maintenance Division, be authorized and directed to erect a reviewing stand and all other pertinencies on the south sidewalk on Main Street West in front of City Hall on Saturday, 1992 May 30, to be in place from 8:45 a.m. to 11:45 a.m. on the occasion of the annual Boy Scout and Girl Guide Parade.
- (b) That Scouts Canada be granted permission to use the east side of the City Hall lower level parking lot for a dispersal area following the Boy Scout and Girl Guide Parade.
12. That approval be given to the action taken by the City Clerk in authorizing the Croatian Democratic Union of Hamilton-Wentworth to use the City Hall Forecourt and related equipment on Saturday, 1992 April 25 from 2:00 to 3:00 p.m. for a peace rally.
13. (a) That permission be granted to the Hamilton Veterans Committee to use the City Hall Forecourt on Saturday, 1992 June 14 from 11:30 a.m. to 12:15 p.m. for the purposes of forming up a parade which will march from City Hall to the Cenotaph in Gore Park for a 12:30 p.m. Decoration Day Service; and,
- (b) That the first floor of City Hall be open to Hamilton Veterans to access washrooms from 11:30 a.m. to 12:15 p.m.; and,
- (c) That the City Clerk be authorized to approve of a similar use in future years, provided it does not conflict with any other event.



14. That approval be given to the action taken by the Acting City Clerk in authorizing the Kinette Club of Hamilton to use the City Hall forecourt and flagpole for a Flag Raising Ceremony from 12:00 noon to 2:00 p.m. on Wednesday, 1992 May 06 during the Proud to be Canadian Tour.
15. That the Council of the Corporation of the City of Hamilton advise the Liquor Licence Board of Ontario that it is aware of the Festival of the Mordomia de St. John Day in honour of the Holy Spirit being held outdoors at the Lusiadas Parking Lot (Mulberry Street between MacNab and James Street) on 1992 June 20th and 21st, and has no objection to the issuance of a Special Occasion Permit.
16. That the Council of the Corporation of the City of Hamilton advise the Liquor Licence Board of Ontario that it is aware of the Summer Festivities of St. Mary's Portuguese Parish (Portuguese Congregation) being held on the Parish grounds at 146 Park Street North on 1992 June 7, July 5, August 7-9 and September 6&7, and has no objection to the issuance of a Special Occasion Permit.
17. (a) That the "Final Report for an Archive of Municipal Records of the City of Hamilton, the Regional Municipality of Hamilton-Wentworth and nine (9) other participating bodies in the Hamilton-Wentworth Region" as prepared by Lord Cultural Resources Planning & Management Inc., be received. Copies of the Executive Summary were distributed to members of the Finance and Administration Committee and are available from the Committee Secretary upon request.  
  
(b) That City Council refer the Report to the City Clerk's Office, and that the City Clerk designate a staff member to participate along with representatives, from the other participating bodies, on the Municipal Archive Planning Committee to be chaired by the Hamilton Public Library. The Planning Committee shall be charged with the responsibility of developing an implementation plan.
18. That approval be given for assistance in the hosting of the Ontario Recreation Forum-Conference being held 1992 May 7-8-9 in Hamilton in an amount not to exceed \$1,200., and that this amount be charged to "Hosting of Conferences with Municipal Subject Content", Account CH 55307-80040. This will be a one-time subsidy for the inaugural event which will become an annual event held in the City of Hamilton.
19. That the Regional Municipality of Hamilton-Wentworth, through its Health and Social Services Committee and the Regional Medical Officer of Health be requested to review possible actions that can be taken to petition for legislative changes to directly control the sale of glue to minors, or the shops which sell such substances, as a means of limiting illicit use.

20. That the following resolution from the Town of Tillsonburg respecting the cross-border shopping problem be received:

WHEREAS the Treasurer of Ontario will be presenting a budget in the near future;

AND WHEREAS the Province of Ontario requires additional sources of revenue;

AND WHEREAS the problems of cross-border shopping and smuggling have hurt the border municipalities and cost the Province millions in lost revenue;

THEREFORE be it resolved that the Council of the Town of Tillsonburg write a letter to the Treasurer of Ontario asking that he roll back the sales taxes on alcohol, tobacco and gasoline in the upcoming budget to stimulate the economy;

AND FURTHER THAT all Ontario municipalities, Counties and Regions be asked to consider this resolution and, in turn, send a copy of their endorsement to the Premier of Ontario.

21. That the following resolution from the Town of Tillsonburg respecting waste reduction be received:

WHEREAS the matter of the pending mandate put forth by the Minister of the Environment with respect to mandatory curbside re-cycling be activated in 1992 for municipalities of populations in excess of 5,000 people and further mandates of municipalities to divert waste to landfill in 1992 by 25% and by 50% by the year 2000;

AND WHEREAS solid waste collected at residential curbsides in municipalities across Ontario represents a much lesser amount than solid waste of industrial and commercial that ends up in the same landfill site;

AND WHEREAS recycling efforts of residents of municipalities in Ontario cannot meet the requirements of the Ministry without industry reducing waste to landfill by an equal percentage of diversion;

BE IT THEREFORE RESOLVED that the Council of the Town of Tillsonburg, recommend to the Ministry of the Environment, the Honourable Ruth Greer, that her Ministry promote the Plan for the required amount of diversion of waste by industry across the Province in a more vigorous manner.

22. That the City of Hamilton host a reception for Roberta Bondar on the occasion of her special appearance in Hamilton on Thursday, 1992 May 14th, prior to the conferral of an Honourary Doctorate by McMaster University. That the charges for this civic luncheon in the amount of \$2,500. be charged to Account No. CH55314 - 84010.
23. That Mayor Morrow; Alderman Ross, Chairperson of the Finance and Administration Committee; and J. Pavelka, Acting Chief Administrative Officer be authorized to meet with representatives from the City of Burlington to discuss a possible transfer of LaSalle Park to the City of Burlington in exchange for a capital contribution to one of the City of Hamilton's Waterfront projects at the market value of LaSalle Park.
24.
  - (a) That authorization be given to the Director of Property to proceed with the re-lamping of the Property Department space on the first floor of City Hall, utilizing new T-8 lamp and electronic ballast technology in conjunction with Ontario Hydro at no cost to the City; and,
  - (b) That the Director of Property be authorized to initially pay for electrical retrofit at an estimated cost of \$11,400. with total reimbursement being directed to the City from Ontario Hydro once the project is completed.
25.
  - (a) That the 1992 requirement of the Hamilton Society for the Prevention of Cruelty to Animals (H.S.P.C.A.) for the provision to purchase office equipment, motor vehicle, computers and like items in the amount of \$50,240. be financed from the Reserve for H.S.P.C.A. Capital Projects; and,
  - (b) That the H.S.P.C.A. be requested to include the specific funding requirement for the purchase or replacement of motor vehicle, computer, office equipment, etc. in the current operating budget for 1993 and future years to be considered during the City's budgeting process.
  - (c) That the City Treasurer be directed to recommend at the 1992 year end a method of replenishing the amount of \$50,240. to the Reserve for H.S.P.C.A. Capital Projects.



26. That funds be allocated from the Reserve for Replacement of Mobile Equipment, Account Centre No. CH 00101, for the replacement of vehicles as summarized below:

<u>Section</u>	<u>No. of Vehicles</u>	<u>Estimated Amount</u>
City Garage Pool	15	\$ 250,000.
Public Works - Vehicles	43	<u>2,155,050.</u>
- Miscellaneous Equipment	<u>18</u>	
TOTAL	<u>76</u>	<u>\$2,405,050.</u>

27. (a) That the optional Pre-authorized Tax Payment Plan be implemented effective 1993 January 1.
- (b) That the following elements of the optional Pre-authorized Tax Payment Plan be approved:

Eligibility

- (i) The Plan shall initially be available to Residential properties excluding residential commercial and industrial properties.
- (ii) The status of the tax account must be current.
- (iii) Continued enrolment in the Pre-authorized Tax Payment Plan may be revoked by the Treasurer if more than one monthly payment fails to be honoured. Tax accounts disqualified from the program, shall revert to the regular instalment billing system and be subject to penalties and interest in accordance with By-law Number 71-69 or subsequent levy by-laws. In such cases the taxpayer will not be eligible to re-apply for enrolment in the Pre-Authorized Tax Payment Plan for a period of one year after the account has been returned to good standing.
- (iv) Payments shall be by pre-authorized withdrawal (electronic funds transfer) from the applicant's financial institution.
- (v) Payments for the 1993 taxation year shall be made in eleven monthly payments commencing 1993 January 1 to 1993 November 1, inclusive. Payments for the 1994 taxation year shall be made in twelve payments commencing 1993 December 1 to 1994 November 1, inclusive and continue thereafter in twelve monthly payments. Where enrolment is made during the course of the year the payments will be prorated.



- (vi) Enrolment applications received by 1992 November 15 will be eligible for the program as of 1993 January 1. Applications received after 1992 November 15 will be placed on the pre-authorized payment plan as soon as possible thereafter. Enrolment is continuous and valid for each subsequent year unless written notice of cancellation is received.
  - (vii) Provided that pre-authorized payments are maintained as scheduled, no interest, discount or penalties will be applied.
  - (viii) Each taxpayer enrolled in the plan, will receive an annual statement of account and a revised monthly payment amount for the next period.
  - (c) That the City Solicitor be authorized and directed to prepare the necessary By-laws for the implementation of the optional Pre-authorized Tax Payment Plan.
  - (d) For the information of the members of City Council, the Finance and Administration Committee have directed the Acting City Treasurer to report back on including commercial and industrial assessed properties in the Plan.
28. (a) That the policy dated 1985 August "Personal Harassment at the Workplace" be rescinded and that the proposed new policy on Harassment and Discrimination attached hereto and marked as Appendix "A", be approved;
- (b) That the Commissioner of Human Resources review with the Status of Women Sub-Committee and the Mayor's Race Relations Committee the changes to the Policy on Sexual Harassment; and,
- (c) That the Commissioner of Human Resources report to the Finance and Administration Committee on any recommended changes put forward after review by the Status of Women Sub-Committee and the Mayor's Race Relations Committee.
29. That the amount of \$7,500. to cover additional Fire Department recruiting expenses be funded initially by an approved overdraft in the accounts of the Fire Department and be absorbed within the overall surplus of the City if necessary.
30. That the City of Hamilton declines to resolve Ontario Court (General Division) Action No. 26023/91 by the payment to the Plaintiff, Betty Warren, of the sum of \$2,000. in full satisfaction of her claim for damages, interest and costs.

31. That the correspondence received by numerous retailers in the City of Hamilton respecting Applications for exemption as prescribed in Bill 115 and The Retail Business Holidays Act, Ontario for the purpose of permitting Sunday and holiday shopping, as attached herewith and marked Appendix "B", be referred to Regional Council for consideration by the Economic Development and Planning Committee.
32. (a) That Section 34 of the Eighth Report for 1992 of the Finance and Administration Committee, adopted by City Council on 1992 March 31 respecting the tabling of the Performance Excellence Programme, be reconsidered; and,
- (b) That the tabling of the Performance Excellence Programme be extended from 1992 May 2nd to 1992 June 2nd.
33. For the information of the members of City Council, the Finance and Administration Committee have revised the Terms of Reference of the English Language Sub-Committee to include the words, "under the control and jurisdiction of Hamilton City Council" at the end of the mandate. The English Language Sub-Committee have been advised that only issues of municipal content will be considered by the Finance and Administration Committee.
34. For the information of the members of City Council, the Finance and Administration Committee appointed Valya Roberts as the Hamilton Status of Women Sub-Committee's representative on the Advisory Committee on Equitable Representation on Committees/Boards/Commissions. Ms. Roberts replaces Mary McKenzie, a former Sub-Committee member.
35. That leave be granted to introduce the following Bills:
- (a) Bill H-38 A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. ROSS, CHAIRPERSON  
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder  
Secretary  
1992 May 7

## **POLICY AGAINST DISCRIMINATION & HARASSMENT**

The Regional Municipality of Hamilton-Wentworth and the Corporation of the City of Hamilton will ensure that the protection provided by the Ontario Human Rights Code against discrimination and harassment is respected and maintained in the workplace. Harassment is defined as engaging in a course of vexatious comment or conduct that is known or ought to reasonably be known to be unwelcome.

The Ontario Human Rights Code prohibits discrimination and/or harassment based on one or more of the following grounds:

- |                      |                     |
|----------------------|---------------------|
| - handicap           | - race              |
| - sex                | - colour            |
| - sexual orientation | - creed             |
| - citizenship        | - family status     |
| - marital status     | - age(18-65)        |
| - ethnic origin      | - place of origin   |
| - ancestry           | - record of offense |

Training programs will be provide to alert all staff to their rights under this legislation and to emphasize the commitment of the employer to the achievement of the goals of the legislation.



# PROCEDURES & GUIDELINES

## ***DEFINITIONS:***

### **1. Discrimination**

Refers to intolerant behaviour towards individuals or groups. The intolerant behaviour may be direct (eg. denying people access to jobs based on their colour, nationality, dress, etc.) or systemic (eg. denying someone a job because of culturally-biased testing). Discrimination may come from an individual or through systems and attitudes perpetuated within institutions.

### **2. Harassment**

Defined as engaging in a course of vexatious comments or conduct that is known or ought to be known to be unwelcome. Harassment can make you feel uncomfortable, embarrassed, offended or intimidated. Types of behaviour that may constitute harassment include, but are not limited to:

- unwelcome jokes about one's colour, ancestry, religion, etc
- display of racist pictures
- teasing or gestures which can cause embarrassment.

## ***RESPONSIBILITIES:***

1. The Regional Municipality of Hamilton-Wentworth and the Corporation of the City of Hamilton are responsible for:

- 1) ensuring corporate policies and procedures comply with the provisions in the Ontario Human Rights Code.
- 2) providing human rights training to all employees.
- 3) creating an environment that encourages prospective complainants to report all incidents of discrimination or harassment.



4) a redress mechanism to handle and investigate discrimination and harassment complaints.

2. Management personnel have the responsibility to:

i) protect all employees from discrimination and harassment.

ii) respond immediately to all complaints.

iii) discipline those employees found guilty of violating this policy.

3. Every employee of this organization has the responsibility of ensuring that the work environment is free from discrimination and harassment. Every employee is discouraged from engaging in any activity that may be perceived as discrimination or harassment.

### ***PROCEDURE:***

1. Employees who have a complaint alleging a violation of this policy are encouraged to:

a) make your disapproval and/or unease known to the harasser or source of discrimination and request all offensive behaviour to cease; or

b) discuss concerns with an immediate supervisor; or

c) seek advice from a union representative.

2. If the complainant is not satisfied with the outcome of the first step, or the harassment/discrimination has not ceased the complainant may arrange an interview with the Employment Equity Office.

3. a) The complainant should provide the Employment Equity Office with the following details:

- the nature of the complaint

- supporting information

- specific incidents of the complaint

- names of witnesses willing to provide information

- the information that the witnesses are expected to provide.

b) Following the initial interview the complainant may be requested to complete a complaint form.

4. Once the complaint form is received by the Employment Equity Office, it will be assigned for investigation. The Department Head of the complainant and the Commissioner of Human Resources will be notified that an investigation is being conducted.
5.
  - a) The Employment Equity investigator will notify the respondent that a complaint has been received and will arrange a date and time for an interview.
  - b) At the interview, the complaint will be reviewed with the respondent who will be requested to respond to the allegations. If a formal complaint has been received the respondent will be requested to respond in writing.
  - c) If the respondent refuses to meet with the Employment Equity Office, the investigation will proceed and a decision will be made based on information provided by all other sources.
6. During the interview with the respondent, any additional information provided must be signed.
7. Interviews will be arranged and completed with witnesses and any other individuals who may offer pertinent information to the investigation. All persons interviewed must sign their statement of facts to ensure accuracy.
8.
  - a) Any employee attending a meeting is entitled to be accompanied by one other person of their choice.
  - b) Further meetings may be requested by the Employment Equity Office or designate if clarification of information is required.
9. Once the investigation is complete, the Employment Equity Office will forward a report of findings and recommendations to the Commissioner of Human Resources.
  - a) The appropriate Department Head will be notified in writing of the findings of the investigation and the recommendations.
  - b) The complainant and respondent(s) will be notified by the Employment Equity Office of the findings of the investigation.
  - c) If the investigation reveals the complaint is unfounded, a request may be made for the complainant to appear before the supervisor and a designate

from the Employment Equity Office to show cause why discipline should not be imposed for an abuse of process.

#### ***DISCIPLINARY ACTION:***

Where an employee has violated the Region and City's Policy Against Discrimination and Harassment the department will be responsible for imposing disciplinary action on that employee. A letter from the Department Head stating the action taken should be forwarded to the Employment Equity Office within 5 working days of receipt of notification of findings.

#### ***RETALIATION:***

Any form of retaliation against a complainant will be considered a serious violation of this policy and will not be tolerated. Such actions will be subject to disciplinary action.

#### ***APPEALS:***

If the complainant or respondent(s) requests reconsideration of the findings of the investigation, an appeal must be made in writing within 10 days of the date the complainant and respondent(s) were notified of the findings and must include a statement of just cause as to why the findings of the investigation should be reexamined. All parties involved will be notified that a request for reconsideration has been made and will be given the opportunity to reply. The Commissioner of Human Resources will make a final decision on the disposition of the case.

#### ***FALSE ACCUSATIONS:***

The Region and City do not approve of any behaviour that undermines working relationships and personal dignity, and therefore will not condone any false and fabricated



charges against innocent employees. Any employee found to be engaged in such behaviour will be subject to disciplinary action as outlined in this policy.

***CONFIDENTIALITY:***

1. All complaints and investigations will be handled as confidentially as practicable and appropriated under the circumstances.
2. All records of complaints, including contents of meetings, interviews, results of investigations and other relevant material will be kept confidential by the Employment Equity Office except where disclosure is required by law.

***THE ONTARIO HUMAN RIGHTS COMMISSION:***

At any point in an investigation the complainant has the right to file a complaint with the Ontario Human Rights Commission.



## **SEXUAL HARASSMENT POLICY**

The Regional Municipality of Hamilton-Wentworth and the Corporation of the City of Hamilton believes that all employees have a right to a working environment free from sexual harassment. In order to achieve this desired environment this organization will not accept or tolerate sexual harassment in the workplace. Our commitment to this goal includes sexual harassment education for all employees, the creation of an environment that encourages the reporting of all sexual harassment incidents, and the provision of a redress mechanism to handle and investigate all sexual harassment complaints.

Sexual harassment is:

- any sexual incident that is offensive, humiliating or persistent to any employee, or
- a threat, reprisal or denial of opportunity for refusal to comply with a sexually oriented request, or
- a promise for reward for complying with a sexually oriented request.

Sexual harassment includes, but is not limited to unwanted touching, unwelcome sexual flirtations, leering, advances, propositions, sexual assault, sexually suggestive remarks and the display of sexually offensive material in the workplace.

Sexual harassment victims may be either male or female. Most often sexual harassment is directed by a male in authority towards a female subordinate, however harassment may also occur between co-workers, and persons of the same gender.

The Regional Municipality of Hamilton-Wentworth and the Corporation of the City of Hamilton have developed procedures and guidelines to accompany this policy because all employees have the right to be treated with dignity, respect and fairness in the workplace.

# PROCEDURES & GUIDELINES

## **DEFINITIONS:**

### **1. Sexual Harassment**

a) one or more verbal, non-verbal, visual, physical or psychological incidents of a sexual nature that:

- i) is likely to cause offence or humiliation to any employee, or
- ii) might, on reasonable grounds, be perceived by that employee as placing a condition of a sexual nature on employment or any opportunity for training or promotion.

b) Types of behaviour which constitute sexual harassment include, but are not limited to:

- unwanted touching or patting
- sexually suggestive or obscene remarks
- leering (suggestive staring) at a person's body
- display of sexually offensive material
- demands for sexual favours
- unwelcome sexual flirtations, advances, propositions
- sexual assault.

c) Sexual harassment most often occurs in the form of behaviour by a male in authority towards females in subordinate positions; however, sexual harassment may also occur between men, between women, between co-workers, or as behaviour by women towards men.

### **2. Sexual Harassment in the Workplace**

Refers to any sexual harassment by an employee of this organization which occurs:

- i) during normal working hours, or

- ii) any other work-related settings, such as conferences, seminars or business-related social events.

### ***RESPONSIBILITIES:***

1. The Regional Municipality of Hamilton-Wentworth and the Corporation of the City of Hamilton are responsible for providing:

- i) all employees with sexual harassment education.
- ii) an environment that encourages prospective complainants to report all incidents of sexual harassment.
- iii) a redress mechanism to handle and investigate sexual harassment complaints.

2. Management personnel have the responsibility to:

- protect all employees from sexual harassment
- respond immediately to complaints
- discipline those employees found guilty of violating this policy.

Managers that are aware of harassment and do not take corrective action, may be subject to disciplinary action.

3. Every employee of this organization has the responsibility of ensuring that the work environment is free from sexual harassment. Every employee is discouraged from engaging in any behaviour that may be perceived as sexual harassment. In addition, every employee who believes another employee is experiencing sexual harassment or retaliation is encouraged to follow the procedures outlined in this policy.

### ***PROCEDURE:***

1. Any employee that believes they have been subjected to sexual harassment should make their disapproval known to the harasser and request all offensive behaviour to cease.
2. If the complainant does not wish to approach the alleged harasser or such an approach does not produce satisfactory results the complainant should seek the



advice of a union representative, supervisor, department head or the Employment Equity Office.

3. The complainant should maintain a written record of the alleged nature of the harassment, date(s), time(s), behaviour and if any witness(es).
4. If advice is sought the complainant will be made aware of their rights, available counselling, and other avenues of recourse.
5.
  - a) The meeting should determine whether the conduct described constitutes sexual harassment according to the definition in this policy.
  - b) Following the initial interview the complainant may be requested to complete a complaint form.
6. The person(s) named in the complaint (the respondent) will be contacted and notified of the allegations and requested to respond to the allegations.
7. Interviews will be arranged and completed with witnesses and any other individuals who may offer pertinent information to the investigation. All persons interviewed must sign their statement of facts to ensure accuracy.
8.
  - a) Any employee attending a meeting is entitled to be accompanied by one other person of their choice.
  - b) Further meetings may be requested by the Employment Equity Office or designate if clarification of information is required.
9. Once the investigation is complete, the Employment Equity Office will forward a report of findings and recommendations to the Commissioner of Human Resources.
  - a) The appropriate Department Head will be notified in writing of the findings of the investigation and the recommendations.
  - b) The complainant and respondent(s) will be notified by the Employment Equity Office of the findings of the investigation.
  - c) If the investigation reveals the complaint is unfounded, a request may be made for the complainant to appear before the supervisor and a designate from the Employment Equity Office to show cause why discipline should not be imposed.



### ***DISCIPLINARY ACTION:***

Any employee who has violated the Region and City's Sexual Harassment Policy will be disciplined by the department according to the severity of the actions, up to and including dismissal. A letter from the Department Head stating the action taken should be forwarded to the Employment Equity Office within 5 working days of receipt of notification of findings.

### ***RETALIATION:***

Any form of retaliation against a complainant will be considered a serious violation of this policy and will not be tolerated. Such actions will be subject to disciplinary action.

### ***APPEALS:***

If the complainant or respondent(s) requests reconsideration of the findings of the investigation, an appeal must be made in writing within 10 days of the date the complainant and respondent(s) were notified of the findings and must include a statement of just cause as to why the findings of the investigation should be reexamined. All parties involved will be notified that a request for reconsideration has been made and will be given the opportunity to reply. The Commissioner of Human Resources will make a final decision on the disposition of the case.

### ***FALSE ACCUSATIONS:***

The Region and City do not approve of any behaviour that undermines working relationships and personal dignity, and therefore will not condone any false and fabricated charges against innocent employees. Any employee found to be engaged in such behaviour will be subject to disciplinary action as outlined in this policy.

***CONFIDENTIALITY:***

1. All complaints and investigations will be handled as confidentially as practicable and appropriate under the circumstances.
2. All records of complaints, including contents of meetings, interviews, results of investigations and other relevant material will be kept confidential by the Employment Equity Office except where disclosure is required by law.

***THE ONTARIO HUMAN RIGHTS COMMISSION:***

At any point in an investigation the complainant has the right to file a complaint with the Ontario Human Rights Commission.

# CORPORATION OF THE CITY OF HAMILTON

## MEMORANDUM

Appendix "B" referred  
to in Section 31 of the  
Twelfth Report of the  
Finance and Administration  
Committee for 1992.

TO: Alderman D. Ross, Chairperson  
and members,  
Finance and Administration Committee

YOUR FILE:

FROM: Susan K. Reeder, Secretary  
Finance and Administration Committee  
City Clerk's Department

OUR FILE:  
PHONE:

SUBJECT: Applications for exemption as  
prescribed in Bill 115 and  
The Retail Business Holidays Act,  
Ontario for the purpose of permitting  
Sunday and holiday shopping.

DATE: 1992 May 5

Attached herewith is a copy of a letter recently received with respect to the above-noted matter.

This same letter has been reproduced and received from the following:

(a) Eric Paul, Chairman and Chief Executive Officer for Bi-Way Stores Limited on behalf of the following stores:

- (i) 416 Concession Street (attached)
- (ii) 770 Upper James - Bi-Way/Drug World
- (iii) Centre Mall, 1227 Barton Street East
- (iv) 1037 Mohawk Road East - Bi-Way/Drug World
- (v) Strathbarton Mall, 1565 Barton Street East
- (vi) Mountain Plaza Mall, 679 Upper James
- (vii) Queenston Mall, 686 Queenston Road, Stoney Creek
- (viii) Westcliffe Mall, Mohawk & Upper Paradise
- (ix) 1629 Main Street West
- (x) 135 James Street North

(b) Joel Cooper, President and General Manager, Braemar on behalf of the following stores:

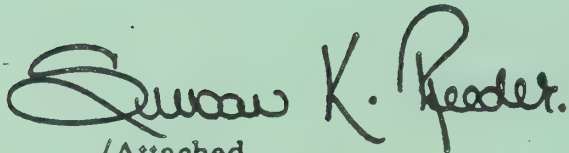
- (i) Lloyd D. Jackson Square, 2 King Street West
- (ii) Limeridge Mall, 999 Upper Wentworth Street (Braemar Petites)
- (iii) Limeridge Mall, 999 Upper Wentworth Street

- (c) Sol Nayman, Executive Vice-President, Club Monaco International on behalf of the following store:
  - (i) Lloyd D. Jackson Square, 2 King Street West
- (d) Lynn Posluns, President, Fairweather (division of Dylex Ltd.) on behalf of the following stores:
  - (i) Centre Mall, 1227 Barton Street East
  - (ii) Hamilton Eaton Centre, 77 James Street North
  - (iii) Lloyd D. Jackson Square, 100 King Street West
  - (iv) Limeridge Mall, 999 Upper Wentworth Street
  - (v) Eastgate Mall, 75 Centennial Parkway North
- (e) Robert J. Humphrey, President, Harry Rosen Inc. on behalf of the Hamilton Eaton Centre store.
- (f) Richard Leduc, President, Steel (division of Dylex Limited) on behalf of the following stores:
  - (i) Eastgate Square, 75 Centennial Parkway North, Stoney Creek
  - (ii) Centre Mall, Barton Street
  - (iii) Limeridge Mall, 999 Upper Wentworth Street
  - (iv) Lloyd D. Jackson Square, 100 King Street West
- (g) Irving Teitelbaum, Chairman & Chief Executive Officer, Susy Shier, on behalf of the following stores:
  - (i) Limeridge Mall, 999 Upper Wentworth Street
  - (ii) Lloyd D. Jackson Square, 100 King Street West
  - (iii) Eastgate Square, 75 Centennial Parkway North, Stoney Creek
  - (iv) The Centre Mall, 1227 Barton Street East
- (h) Mickey Maklin, Senior Vice-President & General Manager, Thrifty's on behalf of the following stores:
  - (i) Limeridge Mall, 999 Upper Wentworth Street
  - (ii) Lloyd D. Jackson Square, 2 King Street West
  - (iii) Centre Mall, 1227 Barton Street East



(i) Gordon Edelstone, Chairman & Chief Executive Officer, Tip Top Tailors on behalf of the following stores:

- (i) Eastgate Square, 75 Centennial Parkway North, Stoney Creek
- (ii) Lloyd D. Jackson Square, 2 King Street West
- (iii) Centre Mall, 1227 Barton Street East

Susan K. Reader.

/Attached.

c.c. - All members, City Council

- J. Pavelka, Acting Chief Administrative Officer
- P. Noé Jackson, City Solicitor



BI-WAY STORES LIMITED  
HEAD OFFICE: 115 COMMANDER BLVD., SCARBOROUGH, ONT. M1S 3M7  
TELEPHONE: (416) 292-2626 TELECOPIER: (416) 292-8035

April 20, 1992

RECEIVED

APR 27 1992

Hamilton City Hall  
71 Main Street West  
Hamilton, Ontario  
L8N 3T4

CITY CLERKS ✓

ATTENTION: CLERK'S OFFICE, CLERK OF THE MUNICIPALITY

Dear Sir/Madam:

RE: APPLICATION FOR EXEMPTION AS PRESCRIBED IN BILL 115 AND  
THE RETAIL BUSINESS HOLIDAYS ACT, ONTARIO, "The Act"

Bill 115 (chapter 43, Statutes of Ontario, 1991) was brought into law through Royal Assent dated November 25th, 1991. Section 4 of the Retail Business Holidays Act, as re-enacted and as repealed, has now been substituted by a new Section 4, the following paragraphs of which, have been selected for the purposes of this application. These are stated here for your information and reference:

4.-(1) Despite section 2, the council of a municipality may by by-law permit retail business establishments in the municipality to be open on holidays for the maintenance or development of tourism.

4.-(4) Subject to the regulations made under this section, the council shall consider a by-law under subsection (1) only on the application of one or more persons carrying on retail business in the municipality or on the application of an association, whether or not incorporated, representing persons carrying on retail business in the municipality.

We now make application to you, as representative of "council of a municipality", under Section (4) of The Act for exemption as contemplated therein. We presently operate a retail business within your municipal district as follows:

Bi-Way  
416 Concession Street  
Hamilton, Ontario  
L9A 1B9

Our many retail businesses provide highly desirable fashion clothing merchandise to the consumer. We cater to the demands of the consumer and also to the ever changing dictates of fashion. We provide these merchandise offerings to local consumers and to visitors to our many beautiful cities and environs, through highly visible and attractive retail stores which are located, for the convenience of shoppers and tourists alike, mostly in shopping malls throughout the Province. Our stores are in excess of 2,400 square feet in area and employ more than 4 individuals at each location. Consequently, we rely on both local consumers and tourists alike for the sustenance and well-being of our operations and the pursuit and achievement of our corporate objectives.

Bearing in mind the wishes of most consumers in regards to Sunday and holiday shopping; the current flow of shoppers from within Ontario who continue to shop south of the border and the need generally for citizens of Ontario, both personal and corporate, to demonstrate initiative in the resuscitation of our local economies, it is, in our judgement and opinion, to the benefit of both local economies and the tourism industry in general, that we, alongside other retail businesses, be granted exemption from the prohibition as defined under section 2.-(1) of The Act. Operating retail business during holidays will, in our opinion, not only begin to stem "cross border shopping" but it will too, encourage visits and tourism by our American friends to Ontario, thus further improving our local economies.

The Act makes reference to the maintenance of holidays as "common pause days". We have always conducted ourselves in a highly responsible manner in regards to managing our human resources. We are sensitive and responsive to the needs of our many management and other professional staffing and maintain a fully staffed and highly competent Human Resources department. Testimony to our human relations standards is evidenced by the performance and responses of our employees during the December 1991 holiday exemption from The Act as provided to retail stores. We maintain the highest ethical standards in regards to fair treatment of our employees, work schedules and the need for common pause days.

The Ministry of Tourism and Recreation is quick to acknowledge and promote the abundant outstanding natural, historical, educational, recreational, cultural and multicultural tourist attractions in our beautiful Province of Ontario. These attractions exist throughout the Province and are located in most, if not all, of our towns and cities across the Province. These attractions are of interest to Ontarians and tourists throughout the year and it is with little doubt that we can attest to our stores being located within 2 kilometres of a tourist attraction.

Since many of our stores are located in shopping malls across the Province, it is necessary that the issue of exemptions under The Act be considered in the context of shopping malls as well as free standing retail locations with street or strip plaza exposure. Consider too that not only is it incumbent upon us to obtain the necessary exemption as a retail business having more than 4 employees operating out of more than 2,400 square feet, but for all practical purposes, it is further required that the mall in which we operate be granted exemption too, failing which our stores will not be viable or otherwise authorized to operate on holidays within the shopping mall.



It is further noted under substituted paragraph 4.-(9)(a) that the council of a municipality may establish procedures and fees for the processing of applications. Since no fees have yet been approved by council and no otherwise formal procedure has yet been determined, this application for exemption is made without prejudice and subject to our further approval and confirmation once the municipality has approved a specific procedure and fee basis.

We anticipate your fullest co-operation, both as a municipal body and as citizens of the Province of Ontario, to utilize the authority provided in Bill 115 in a manner that will optimize our economic recovery and return us to a more stable economic environment, providing exciting and competitive business opportunities and consequently improved employment opportunities for all citizens of Ontario.

Yours very truly,



for Eric Paul  
Chairman and Chief Executive Officer

EP/lc





**BILLS**

**CITY COUNCIL**

**1992 May 12**

URBAN MUNICIPAL  
MAY 12 1992  
GOVERNMENT DOCUMENTS



**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 92-**

**TO INCORPORATE PART 1, PLAN 62R11994  
INTO HARBOTTLE COURT**

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Harbottle Court by incorporating within its limits the lands described below;

**AND WHEREAS** the said lands are owned by The Corporation of the City of Hamilton.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Harbottle Court.

Part of Lot 25, Registered Plan number 947, designated as Part 1, Plan 62R-11994.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

**PASSED** this                      day of                      A.D. 1992.

J. J. Schatz  
City Clerk

R. Morrow  
Mayor



**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 92-**

**TO INCORPORATE BLOCK 88, PLAN 62M-511  
INTO SORRENTO PLACE**

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Sorrento Place by incorporating within its limits the lands described below;

**AND WHEREAS** the said lands are owned by The Corporation of the City of Hamilton.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Sorrento Place.

Parcel Reserves -2  
Section 62M-511

Being all of Block 88, Plan 62M-511.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Being part of the Parcel.

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

**PASSED** this                      day of                      A.D. 1992.

J. J. Schatz  
City Clerk

R. Morrow  
Mayor

**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 92-**

**TO STOP-UP, CLOSE AND RETAIN THE PORTION OF SIMCOE STREET, WEST OF THE WEST LIMIT OF BAY STREET AND TO SELL AN EASEMENT IN PARTS 3,7,8 AND 10 ON PLAN 62R-12134.**

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, to stop-up, close and sell any highway or part of a highway;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, in adopting Item 4 of the 4th Report of the Parks and Recreation Committee on February 25, 1992, authorized the City to stop-up, close and retain a portion of Simcoe Street lying west of Bay Street designated as Parts 4,5,6,9,11 on Plan 62R-12134 and stop-up, close and sell an easement in Parts 3,7,8 and 10 on Plan 62R-12134.

**AND WHEREAS** The Corporation of the City of Hamilton is the Owner of the above described lands;

**AND WHEREAS** Notice of the City's intention to pass this By-law has been published on April 2,9,16 and 23, 1992, as required by Section 301 of The Municipal Act;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this by-law.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The portions of highway described as:

All of Simcoe Street, lying west of Bay Street, Registered Plan number 127, designated as Parts 3,4,5,6,7,8,9,10 and 11 on Plan 62R-12134.

All in the City of Hamilton, Regional Municipality of Hamilton-Wentworth

are hereby stopped up and closed;

2. That a storm water easement be sold to the Regional Municipality of Hamilton-Wentworth in, over and upon the said Parts 3,7,8 and 10 on Plan 62R-12134.
3. This by-law comes into force and effect on the date of registration of this by-law in the Land Registry Office for the Registry Division of Wentworth (No. 62).

**PASSED** this                      day of                      A.D. 1992.

J. J. Schatz  
City Clerk

R. Morrow  
Mayor

BY-LAW NO. 92 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Sub-Section 6 of Section 7 (Moving Buildings or Other Over-Weight or Over-Sized Loads) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting sub-paragraph (a) in its entirety and by substituting therefor the following:

"(a) that the application has been considered and approved by the Commissioner of Transportation and Environmental Services."

2. Schedule 22 (Hamilton Street Railway Bus Routes) is hereby amended by adding thereto the following item, namely:-

"Upper Horning Mohawk Golf Links".

3. Schedule 23 (Hamilton Street Railway Bus Stops) is hereby amended:

a) by deleting from the Outbound Column the following item, namely:-

"Locke at Tuckett"

and by adding thereto the following items, namely:-

"Upper Horning at Mohawk (F/S)  
Upper Horning at Golf Links".

b) by adding to the Inbound Column the following item, namely:

"Upper Horning 156 feet north of Golf Links".

4. Schedule 25A (Parking Time Limits) is hereby amended by adding to Section 5 (One Hour Limit) the following item, namely:-

"Aberdeen North from a point 235 feet west of  
James Mountain Road to Bay".

5. Schedule 26 (No Parking Areas) is hereby amended by adding to Section A (No Parking Anytime) the following items, namely:-

"Leclaire South and East from a point 240 feet north of Lionsgate  
to 157 feet west of Verdun

Elgin West from a point 290 feet north of Barton to a  
point 74 feet northerly therefrom".

6. Schedule 34 (Sticker Permit Parking) is hereby amended by deleting therefrom the following item, namely:-

\*John East commencing 114 feet south of "Anytime",  
Burlington to a point 22 feet  
southerly therefrom.

PASSED THIS DAY OF , A.D. 19 .

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR



BY-LAW NO. 92 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 10 (Stops at Intersections) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Erie	Northbound and Southbound	Tisdale
Osborne	Northbound	Walmer
Butler	Eastbound	Acadia".

2. Schedule 29 (No Stopping Areas) is hereby amended by adding thereto the following item, namely:-

"Highridge	East	Swan to 34 feet north".
------------	------	-------------------------

and by deleting therefrom the following item, namely:-

"Highridge	East	Swan to 59 feet north".
------------	------	-------------------------

PASSED THIS       DAY OF       , A.D. 19   .

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Adopt:

Official Plan Amendment No. 110

Respecting:

LANDS LOCATED ON THE WEST SIDE OF BOW VALLEY DRIVE  
AND SOUTH OF HIGHRIDGE AVENUE  
WITHIN THE RIVERDALE EAST NEIGHBOURHOOD

The Council of The Corporation of the City of Hamilton  
enacts as follows:

1. Amendment No. 110 to the Official Plan of the Hamilton  
Planning Area consisting of Schedule 1, hereto annexed and forming  
part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval  
of the Official Plan Amendment referred to in section 1 above, as  
may be requisite, be obtained and for the doing of all things for  
the purpose thereof.

PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor

## **Amendment No. 110**

**to the**

### **City of Hamilton Official Plan**

The following text, together with Schedule "A" - Land Use Concept and Schedule "C" - Hazard Lands, attached hereto, constitute Official Plan Amendment No. 110.

#### **Purpose:**

The purpose of this Amendment is to redesignate the subject lands on Schedule "A" - Land Use Concept from "Open Space" to "Residential" and to remove the subject lands designated as "Hazard Lands" from Schedule "C" - Hazard Lands to permit a 45-unit townhouse development and two single-family dwellings.

#### **Location:**

The lands affected by this Amendment are located on the west side of Bow Valley Drive and south of Highridge Avenue, within the Riverdale East Neighbourhood.

#### **Basis:**

The basis for redesignating the subject lands from "Open Space" to "Residential" and removing from the subject lands from the "Hazard Land" designation to permit the 45-unit townhouse development and two single-family dwellings, is as follows:

- 1) The proposed development is compatible with the existing residential development patterns within the neighbourhood;
- 2) The conversion of the subject lands from an open space use would not be detrimental, as the neighbourhood is presently well-served with existing parks and open spaces; and,
- 3) The site is located within close proximity to neighbourhood shopping facilities, neighbourhood schools and public transit routes.

#### **Actual Changes:**

- 1) Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating the subject lands from "Open Space" to "Residential", as shown on the attached Schedule "A" of this Amendment; and,

- 2) Schedule "C" - Hazard Lands of the Official Plan be revised by removing the subject lands designated as "Hazard Lands", as shown on the attached Schedule "C" of this Amendment.

**Implementation:**

A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 92-\_\_\_\_\_, passed on the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

**The Corporation of the  
City of Hamilton**

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor












**to the  
official plan  
for the  
city of hamilton**

**Cost to be charged from**

811-3-6-34  
 100-110

**Later Ontario**



	name card
	business card
	index card
	open book
	open wallet
	map, unfolded
	address
	open policy and contract book
	open notebook
	and signed letter

## Schedule A

legend		
date	drawn by	reference file no
April, 1992	E.C.	P 5-3-2-110



**hazard lands**

(for more precise definition of hazard lands, refer to the flood and fill line mapping approved by the appropriate conservation authority)

**schedule C**  
to the official plan  
for  
the city of hamilton  
June 30, 1990



The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593  
as Amended by Zoning By-law No. 86-179

Respecting:

LAND LOCATED AT MUNICIPAL NO. 124 WALNUT STREET SOUTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 86-179 on the 27th day of May 1986 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "E" District, in respect of the land located at Municipal No. 124 Walnut Street South, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, R.S.O. 1990, Chapter P.13;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 9 of the 8th Report of the Planning and Development Committee at its meeting held on the 28th day of April 1992, recommended that Zoning By-law No. 6593, as amended by By-law No. 86-179 be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, as contained in Section 11 of Zoning By-law No. 6593, as amended by By-law No. 86-179, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further amended to the extent only of the special requirements that,

(a) notwithstanding Section 11(1) of By-law No. 6593, the following uses shall be permitted within the building existing at the date of the passing of the by-law, and within a new one storey addition on top of the building:

1. a residential care facility for the accommodation of not more than 70 residents being qualified Senior Citizens; and
2. a beauty parlour/barber shop as an accessory use;

- (b) an amenity area of not less than 167 m<sup>2</sup> shall be provided and maintained within the building;
- (c) Section 11(7) of By-law No. 6593 shall not apply;
- (d) Section 18(3)(vi)(b)(iii) of By-law No. 6593 shall not apply to the canopy for the ramp for the physically handicapped located within the westerly side yard;
- (e) the yard setback requirements as contained in Section 2(b) of By-law No. 86-179 shall be extended to apply to the new one storey addition on top of the existing building;
- (f) Section 2(c) of By-law No. 86-179 is amended by changing the number "20%" in the third line to "14.7%", so that the revised clause (c) reads as follows:  
  
"notwithstanding subsection 11(6) of By-law No. 6593, not less than 14.7% of the area of the lot on which the building is situate shall be landscaped;"
- (g) the provisions of Section 2(b), (c) as amended, (d), (e), and (f) of By-law No. 86-179 shall apply to the subject lands.

2. In all other respects, By-law No. 86-179 is hereby confirmed, unchanged.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E" District provisions, subject to the special requirements referred to in section 1.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-950a.

5. Sheet No. E-5 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-950a.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

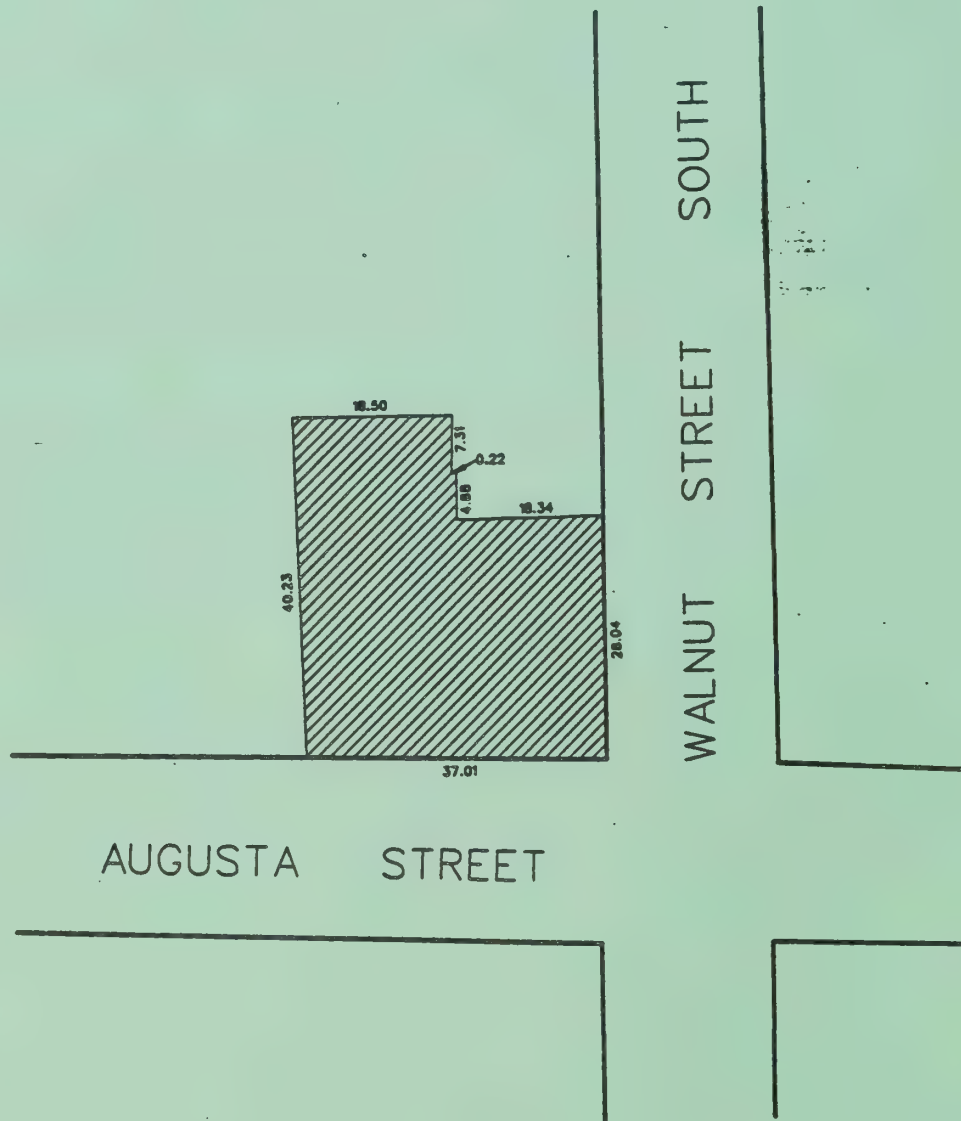
day of

A.D. 1992.

City Clerk

Mayor







NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-\_\_\_\_  
 Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

\_\_\_\_\_  
 Clerk

\_\_\_\_\_  
 Mayor

**City of Hamilton**  
**Schedule A**  
 Map Forming Part of  
 By-Law No. 92-\_\_\_\_  
 to Amend By-Law No. 6593  
 Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

Legend		
 Lands to be Regulated by By-Law No. 92.....		
North 	Scale	Reference File No.
	NOT TO SCALE	ZA 92 - 02
	Date	Drawn By
	May 6, 1992	R.L.

BY-LAW NO. 92 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF  
THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 12TH DAY OF MAY  
A.D., 1992.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the  
Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be  
exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being  
Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are  
to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of  
The Corporation of the City of Hamilton at this meeting be confirmed and adopted by  
by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton  
enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton  
in respect to each recommendation contained in the Reports of the Committees  
and of the local Boards and Commissions and each motion and resolution passed  
and other action taken by the Council of The Corporation of the City of Hamilton  
at this meeting is hereby adopted and confirmed as if all such proceedings were  
expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton  
are hereby authorized and directed to do all things necessary to give effect to the  
action of the Council of The Corporation of the City of Hamilton referred to in  
the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City  
Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized  
and directed to execute all documents necessary in that behalf and to affix thereto  
the seal of The Corporation of the City of Hamilton.

PASSED this                      day of                      A.D. 1992

CITY CLERK

MAYOR



CA4 ON HBL A05  
A31 1992



Urban/Municipal Collection  
2nd Floor  
Hamilton Public Library

J.J. SCHATZ  
CITY CLERK

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK  
71 MAIN STREET WEST  
HAMILTON, ONTARIO L8N 3T4

TEL: 546-2700  
FAX: 546-2095

**MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1992 May 26  
7:30 o'clock p.m.  
Council Chambers, City Hall**

**AGENDA**

**1. Opening Prayer**

Rabbi Irwin Zepelowitz  
Temple Anshe Sholom

**2. Announcement**

1992 Inductees for Hamilton Gallery of Distinction

**3. Presentations**

Certificates of Recognition for Citizen Services on  
City Committees, Boards and Commissions

**4. Proclamations**

- (a) Hamilton-Wentworth Access Awareness Week - 1992 May 31 - June 5
- (b) Fit Day - 1992 May 27
- (c) Bike to Work Week - 1992 May 22 - 31
- (d) Keep Medicare Health Week - Hamilton and District Labour Council - 1992 May 24 - 30

URBAN MUNICIPAL  
MAY 26 1992  
GOVERNMENT DOCUMENTS





**5. Minutes**

(a) 1992 May 12

**6. Petitions and Correspondence**

**7. Reports of the Standing Committees**

(b) Parks and Recreation Committee

(c) Planning and Development Committee

(h) Finance and Administration Committee

**8. Notices of Motion for Next Meeting**

**9. First Reading of the Bills**

**10. Second Reading of the Bills - Committee of the Whole**

**11. Third Reading of the Bills**

**12. Question Period**

**13. Adjournment**



# MINUTES





1992 May 12

Hamilton City Council  
1992 May 12  
7:30 o'clock p.m.  
Council Chamber, City Hall

The Council met.

Present: Mayor Robert M. Morrow

Aldermen Cooke, Kiss, Agro, Drury, Morelli, Wilson, Agostino, Eisenberger,  
Jackson, Charters, Merling, Anderson, Ross.

Absent: Alderman W. McCulloch - civic business  
Alderman G. Copps - vacation  
Alderman F. D'Amico - civic business

Father Stephen Chmilar, St. Nicholas Ukrainian Catholic Church led Council in prayer.

\* \* \* \* \*

Mayor R. M. Morrow proclaimed the following:

"Tornado Awareness Week - 1992 May 11 - 17"

"Sickle Cell Anemia Month - 1992 May"

\* \* \* \* \*

Mayor R. M. Morrow administered the "Declaration of Appointed Office" to Mr. Allan C. Ross, City Treasurer.

\* \* \* \* \*

The minutes of the meeting held 1992 April 28 were adopted as corrected.

\* \* \* \* \*

Correspondence:

1. Letter dated 1992 April 30 from The Hamilton Harbour Commissioners in response to City Council's letter of 1992 April 15 regarding dumping in the area of the Windermere Basin in which a meeting was requested with Hamilton Harbour Commission representatives to discuss the issue of the Windermere Basin dumping.

**Received.**

2. Letter dated 1992 May 7 from PPM Canada Inc. regarding the tendering of project number 92-2569 Hazardous Soil Extraction Project - Harbourfront Park.

**Received.**

3. Application dated 1992 April 23 from Chin Shee Shing and Chin Nor Fai, Stoney Creek, Ontario for a modification to the "M-13" (Prestige Industrial) District for Nos. 1123, 1131, 1135 Stone Church Road East, Hamilton, Ontario.

**Received.**

4. Application dated 1992 April 24 from Landawn Shopping Centres Limited, Toronto, Ontario for a further modification to the "HH" (Restricted Community Shopping and Commercial etc.) District regulations for property located south of the C.N. Railway, east of Centennial Parkway North, Hamilton, Ontario.

**Received.**

5. Application dated 1992 April 27 from Shell Canada Products Limited, North York, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial, etc.) District modified for property at No. 1630 Upper Gage Avenue, Hamilton, Ontario.

**Received.**

6. Application dated 1992 April 30 from R. P. Baldessarini, Hamilton, Ontario for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings) District to "G-3" (Public Parking Lots) District at 412 Charlton Street West, Hamilton, Ontario.

**Received.**

7. Application dated 1992 May 5 from David K. Lord and Eileen R. Booty, Hamilton, Ontario for a modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District for No. 173 Bold Street and No. 20 Wheeler Place, Hamilton, Ontario.

**Received.**

8. Application dated 1992 May 5 from 870964 Ontario Limited, Unionville, Ontario for a further modification to the existing "G" (Neighbourhood Shopping Centre) District to permit restaurants at 209 Limeridge Road East, Hamilton, Ontario.

**Received.**

9. Application dated 1992 May 4 from Stanley Hinz, Hamilton, Ontario for a change in zoning from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District for 62 Kennedy Avenue, Hamilton, Ontario.

**Received.**

10. Application dated 1992 May 1 from Rolando Pineda Estrabillo, Stoney Creek, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) modified District for 860 Upper Wentworth Street, Hamilton, Ontario.

**Received.**



11. Application dated 1992 May 4 from 200 Rymal Road Inc., Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 200 Rymal Road East, Hamilton, Ontario.

**Received.**

12. Letter dated 1992 May 8 from John Thompson, Acting City Clerk, respecting objections to By-law 92-090 regarding property located at No. 475 Nebo Road, Hamilton, Ontario.

**Received.**

13. Facsimile dated 1992 May 12 from PPM Canada Inc. regarding the tendering of project number 92-2569 - Hazardous Soil Extraction Project - Harbourfront Park.

**Received.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, the Special Committee to Administer the Hamilton-Scourge Project, and the Finance and Administration Committee, be now considered in Committee of the Whole.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**TRANSPORT AND ENVIRONMENT COMMITTEE - SIXTH REPORT**

**Section 19 Re: Issuance of Annual Permits under City Traffic By-law 89-72**

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 19 of the SIXTH Report of the Transport and Environment Committee be amended as follows:

1. That the following be added to the end of the last sentence of sub-section (a):  
"and that where an application is proposed to be denied by the Commissioner, the application must first be considered by the Transport and Environment Committee."
2. That the following be added as sub-section (c):
  - (c) That the Commissioner of Transportation/Environmental Services be directed to bring for consideration of the Transport and Environment Committee, applications from companies that had not previously been granted an annual permit, prior to issuing a permit."

**CARRIED.**

\* \* \* \* \*

**Section 28 Re: Philip Environmental Service Corp. - Waste Disposal Site - 799-800  
Parkdale Avenue North**

Alderman Agro declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Agro is a consultant for an affiliated Company.

\* \* \* \* \*

**Section 30 Re: 1992 Road and Sidewalk Capital Improvement Programme**

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 30 of the FIFTH Report of the Transport and Environment Committee approved by City Council on 1992 April 14 regarding the 1992 Road and Sidewalk Capital Improvement Programme be reconsidered. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Merling and seconded by Alderman Anderson that Appendix "A" of Section 30 of the Fifth Report of the Transport and Environment Committee respecting the 1992 Road and Sidewalk Capital Improvement Programme be amended as follows:

- (a) By deleting Centennial Parkway in the vicinity of Arrowsmith Road, road widening at an estimated cost of two hundred and eighty-nine thousand dollars (\$289,000.) and including Warren Avenue between South Bend Avenue and Fennell Avenue, road and sidewalk reconstruction in conjunction with watermain work at an estimated cost of four hundred and thirty-nine thousand, three hundred dollars (\$439,300.).

- (b) By adding the following funding recommendation:

"That the funds required to proceed with Warren Avenue Road and sidewalk work be provided from the Centennial Parkway project and from the surplus funds available in the 1991 Road Reconstruction Programme estimated to be two hundred thousand dollars (\$200,000.)." **CARRIED.**

**PARKS AND RECREATION COMMITTEE - NINTH REPORT**

**Section 1 Re:        Selling of Alcoholic Beverages - Hamilton Ladies Slo-Pitch Assoc. -  
                         Opening Day Baseball Game - Globe Park**

Recorded vote.

**YEAS:        Mayor Morrow, Aldermen Cooke, Kiss, Drury, Morelli, Wilson, Agostino,  
                         Eisenberger, Charters, Merling, Anderson, Ross. -12.**

**NAYS:        Alderman Jackson. -1.**

**CARRIED.**

**Section 8 Re:        Philip Environmental Services Corp. - Hazardous Soils - Harbourfront  
                         Park**

Alderman Agro declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Agro is a consultant for an affiliated Company.

**PARKS AND RECREATION COMMITTEE - TENTH REPORT**



PLANNING AND DEVELOPMENT COMMITTEE - NINTH REPORT

Section 8 Re: Zoning Application 92-05 - James and Felicia Capuccinello Iraci - 50 Christopher Drive

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Wilson, Agostino, Eisenberger Charters, Jackson, Anderson, Ross. -13.

NAYS: Alderman Merling. -1.

CARRIED.

CITY OF HAMILTON LICENSING COMMITTEE - FOURTH REPORT

SPECIAL COMMITTEE TO ADMINISTER THE  
HAMILTON-SCOURGE PROJECT - FIRST REPORT

FINANCE AND ADMINISTRATION COMMITTEE - TWELFTH REPORT

**Section 23    Re: Sale of LaSalle Park**

It was moved by Alderman Ross and seconded by Alderman Eisenberger that Section 23 of the Twelfth Report of the Finance and Administration Committee be amended by deleting the entire Section and inserting in lieu thereof the following:

23.    (a)    That Mayor R. Morrow; Alderman D. Ross, Chairperson of the Finance and Administration Committee; and J. Pavelka, Acting Chief Administrative Officer be authorized to meet with representatives from the City of Burlington to negotiate the possible sale of LaSalle Park to the City of Burlington.

Recorded vote.

YEAS:       Mayor Morrow, Aldermen Drury, Morelli, Wilson, Agostino, Eisenberger, Anderson, Ross. -8.

NAYS:       Aldermen Cooke, Kiss, Agro, Charters, Jackson, Merling. -6. **CARRIED.**

\* \* \* \* \*

**Section 23    Re: Sale of LaSalle Park**

It was moved by Alderman Agostino and seconded by Alderman Eisenberger that the motion of Alderman Ross to amend Section 23 of the Twelfth Report of the Finance and Administration Committee be further amended by adding the following as subsection (b):

- (b)    That the revenue from the sale of LaSalle Park be used for City of Hamilton Waterfront Projects.

Recorded vote.

YEAS:       Mayor Morrow, Aldermen Drury, Morelli, Wilson, Agostino, Eisenberger, Anderson, Ross. -8.

NAYS:       Aldermen Cooke, Kiss, Agro, Charters, Jackson, Merling. -6. **CARRIED.**

\* \* \* \* \*

**Section 23 Re: Sale of LaSalle Park**

Recorded vote on Section 23 as amended.

YEAS: Mayor Morrow, Aldermen Drury, Morelli, Wilson, Agostino, Eisenberger, Anderson, Ross. -8.

NAYS: Aldermen Cooke, Kiss, Agro, Charters, Jackson, Merling. -6. **CARRIED.**

\* \* \* \* \*

**Section 35 (b) Re: Bill H-39: A By-law to Appoint a City Treasurer**

It was moved by Alderman Ross and seconded by Alderman Anderson that Rule No. 8 of Procedural By-law No. 82-203 be invoked for this meeting of City Council, in order to consider a resolution dealing with the introduction of a Bill to Appoint a City Treasurer.  
**CARRIED.**

\* \* \* \* \*

**Section 35 (b) Re: Bill H-39: A By-law to Appoint a City Treasurer**

It was moved by Alderman Ross and seconded by Alderman Anderson that the following Bill be added as Sub-section (b) of Section 35 of the Twelfth Report for 1992 of the Finance and Administration Committee:

(b) Bill H-39: A By-law to Appoint a City Treasurer. **CARRIED.**

\* \* \* \* \*

**Section 36 Re: Memorandum of Agreement between the Corporation of the City of Hamilton and C.U.P.E. Local 1041.**

It was moved by Alderman Ross and seconded by Alderman Charters that the Twelfth Report of the Finance and Administration Committee be amended by adding the following resolution as Section 36:

36. That the Memorandum of Agreement between the Corporation of the City of Hamilton and C.U.P.E. Local 1041 dated April 9, 1992 be approved and implemented in accordance with the terms therein." **CARRIED.**

\* \* \* \* \*

<b>RESOLUTIONS</b>
--------------------

**Re: Hamilton Hosting the 1992 Grey Cup Parade**

It was moved by Alderman Agostino and seconded by Alderman Jackson that Rule No. 8 of the Procedural By-law be invoked for this meeting of City Council in order to consider a motion by Alderman Agostino respecting Hamilton hosting the 1992 Grey Cup Parade.

\* \* \* \* \*

It was moved by Alderman Agostino and seconded by Alderman Jackson that Mayor Morrow be authorized to undertake to request through the C.F.L. that the City of Hamilton explore the possibility of hosting the 1992 Grey Cup Parade.

\* \* \* \* \*



It was moved by Alderman Kiss and seconded by Alderman Agro that the Reports of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, the Special Committee to Administer the Hamilton-Scourge Project, the Finance and Administration Committee and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that the following Bills be now read a first time:

A-39, A-40, A-41, A-42, A-43

C-54, C-55

H-38, H-39.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that Council move into Committee of the Whole to consider the following Bills, with Alderman Cooke in the chair. (second reading).

\* \* \* \* \*

**Consideration of the Bills (second reading).**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-39, A-40, A-41, A-42, A-43

C-54, C-55

H-38, H-39.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-39, A-40, A-41, A-42, A-43

C-54, C-55

H-38, H-39.

1992 May 12

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

City Council then adjourned at 8:35 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

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Mayor R. M. Morrow

J. J. Schatz  
City Clerk

**CORRESPONDENCE**





Petitions\Correspondence

1. Petition dated 1992 May 19 received by the Acting City Clerk respecting a change facility at the small training pool adjacent to Chedoke Public School on West 25th Street and Leslie Avenue. ("Sample" page previously distributed).

**Recommendation:**

**Be Received.**

2. Application dated 1992 May 8 from Anwar Zurar, Hamilton, Ontario for a change in zoning from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District for 855 Upper Horning Road, Hamilton, Ontario.

**Recommendation:**

**Be Received.**

3. Application dated 1992 May 11 from Jung Y. Mah, Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District modified for 674 Upper James Street, Hamilton, Ontario.

**Recommendation:**

**Be Received.**









## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **ELEVENTH** Report for 1992 and respectfully recommends:

1. (a) That the Director of Culture and Recreation be authorized to promote and encourage participation in a new initiative - Hamilton's "Bike to Work Week", 1992 May 25 to May 29.
- (b) That the Director of Culture and Recreation be authorized to purchase an executive Bike Rack for bicycle parking at City Hall at a cost not to exceed \$500.
2. (a) That the Director of Culture and Recreation be authorized to develop the staff organizational chart for the Sackville Hill Seniors' Recreation Centre Operation, in consultation with the Commissioner of Human Resources, and within the financial allocation for the Salary and Wage Report to provide:
  - Manager of Seniors and Food Services
  - Program and Facilities Supervisor
  - Food and Beverage Co-ordinator (Contract)
  - Cook (Contract)
  - Program Organizer
  - Short Order Cook(s) - Part-time
  - Servers - Part-time
  - Program Aids and Counsellors - Part-time
  - Desk and Reception Staff - Part-time
  - Resource Specialist and Instructors - Part-time
- (b) That classifications and salary grades be determined by Human Resources.

3. That approval be given to the Hostess Frito-Lay Company to sell beer and alcoholic beverages on the occasion of their Slo-Pitch Tournament to be held at Globe Park on Friday, 1992 August 14 and Saturday, 1992 August 15, subject to the following terms and conditions:
  - (a) That proof of \$2 million comprehensive general liability insurance for property damage and bodily injury, naming the City as additional insured, be provided.
  - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a special occasion permit.
  - (c) That the applicant assume responsibility for all labour-related costs as a result of this event.
  - (d) That the concessionaire be contacted to make the necessary arrangements for the provision of food.
4. That approval be granted of the action taken by the Director of Culture and Recreation in approving the request by Sam Arrigo of Big "A" Amusement Ltd. to use Parkdale Park to host a fundraising event for the Queenston Parent/Child Drop In Centre 1992 July 7 to July 12 (12:00 noon to 10:00 p.m., 1992 July 7 to July 11 and from 12:00 noon to 6:00 p.m. 1992 July 12), subject to the following terms and conditions:
  - (a) That insurance, in the amount of \$3 million, comprehensive general liability insurance for property damage and bodily injury, subject to cross liability, and 30 days notice of cancellation, be provided.
  - (b) That the applicant assume responsibility for all labour-related costs as a result of this event, i.e. clean up.
  - (c) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
  - (d) That a Site Plan of the Park to be submitted one month prior to the event.
5. That the Department of Culture and Recreation be authorized to assist the Royal Life Saving Society, Ontario Branch in running a licensed 50-50 Draw to take place on Saturday, 1992 August 1 at Wild Waterworks, Confederation Park in order to raise funds for the "Water Smart" public education program.

6. That the Director of Culture and Recreation be authorized to serve the National Recreation and Parks Association in the capacity of Program Chairman as invited for the National Recreation and Parks Association Congress to be held 1992 October 15 to October 19, in Cincinnati, Ohio.
7. (a) That approval be given to the Director of Culture and Recreation to proceed with the following integrated playstructure projects for 1992: Earl Kitchener School, Phase II, Bruleville Park, St. Luke's School, Trenholme Park, Rushdale Park, Montgomery Park, Kennedy East Park, Durand Park, William Schwenger Park, Shawinigan Park and Gershomme Park.
- (b) That the Director of Culture and Recreation be authorized to proceed with upgrading and redevelopment of existing play equipment to meet Canada Safety Act Guidelines.
8. (a) That purchase orders be issued as follows for Hired Equipment Contractors as and when required during 1992, 1993 and 1994 in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders and that these expenditures be financed through various approved accounts.

<u>Excavators</u>	<u>1992</u>	<u>1993</u>	<u>1994</u>
F & S Excavating	\$70.	\$ 75.	\$ 80.
Danbill Equipment	\$85.	\$ 90.	\$ 95.
Workman Excavating	\$90.	\$100.	\$110.

D8 or equivalent Bulldozers

Digit Contractors	\$85.	\$ 90	\$ 95.
JDR Tools	\$90.	\$ 92.50	\$ 95.
Advance Excavating	\$90.	\$ 95.	\$100.
Sisson Construction o/a Quigley	\$95.	\$100.	\$105.

Hourly rates plus 7% GST

- (b) As the new equipment and contractors are unable to work until approval is received, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".



8. That approval be given to the Hamilton Children's Museum to apply for an Experience '92 Grant, a summer youth employment programme supported by the Ministry of Culture and Communications.
9.
  - (a) That the Hamilton Historical Board apply to the Ministry of Culture and Communications for a Reflections '92 grant application for funds to publish the Dundurn Castle 1991 archaeology report.
  - (b) That the City's contribution of approximately \$1,600. towards the project be taken from Dundurn Castle's Trust Fund.
10. That the following architectural fragments from the Dundurn Collection presently in off-site storage be approved for disposal through the regular process:

staircase bannisters	1979.25.1a-b 1979.25.2a-c 1979.25.3a-b 1979.25.4a-d
railing sections	1960.500.7a-g 1960.500.9
11.
  - (a) That approval be given for the Hamilton and District Budgerigar and Cage Bird Society to manage the operation of the Dundurn Aviary with volunteers, effective 1992 July 1, subject to:
    - i. The Hamilton and District Budgerigar and Cage Bird Society entering into a legal agreement with the City of Hamilton to the satisfaction of the City Solicitor.
    - ii. The City of Hamilton continue to fund the operating supplies, materials and contractual services for the aviary.
    - iii. The provision by the Hamilton and District Budgerigar and Cage Bird Society of a long term operating and management plan acceptable to the Director of Public Works including all aspects of the fiscal management of the aviary by 1993 January 15.
    - iv. The provision by the Hamilton and District Budgerigar and Cage Bird Society of an annual financial statement including all expenditures, cost projections and a summary of the breeding program.
  - (b) That the Director of Public Works submit an annual status report on the aviary operation for consideration of the Parks and Recreation Committee.

13.
  - (a) That the Director of Culture and Recreation through the Department Senior Management and the Main Hess Seniors' Centre Supervisor, in consultation with the Main Hess Seniors' Centre Volunteers Committee, be authorized to continue to provide the maintenance level of service, acceptable to all parties, for the period May to September.
  - (b) That the same staff and volunteers be authorized to continue the operational review to determine the appropriate level of service for the period October to December and to report back to the Parks and Recreation Committee on any reallocation of funds from the Recreation Division's budget which will be required for the Main Hess Seniors' Centre with impact on other recreation-operations.
14. That the Director of Culture and Recreation be authorized to develop department restructuring based on maintaining or enhancing service levels and improving cost effectiveness or efficiencies. The restructuring will include, but not be limited to:
  - (a) Rescheduling of facility based Supervisors to improve efficient use of time at facilities having two to six months of major program downtime.
  - (b) Rescheduling of facility based Supervisors to increase efficient time scheduling based on peak time coverage and downsized weak performing usage time periods within the confines of the job descriptions approved by Council.
  - (c) Reclassification of Facility Supervisors with new specialized responsibilities for food, beverages, disabled, seniors and community development which increases the span of central and financial accountability at locations not based on seasonal programming.
  - (d) Improved inter-facility co-ordination by internal reorganization to accommodate a third Facility Co-ordinator from the existing staff complement.
  - (e) Reclassification of the Aquatic Supervisors' position to include new swimming codes, qualifications and standards, and responsibility for pool scheduling for higher and special levels of service to the public.
  - (f) Formalizing the pilot program assignment of former facility based staff to provide community development programs, special needs accessibility, communications upgrading, active living programs, community arts programming and seniors' activity scheduling.

- (g) Containment of part-time/seasonal costs in programs which cannot be deemed cost-recovering and serving within present day standards.
  - (h) Development of a Heritage Co-ordination Plan to provide supervision to museums, heritage areas and restoration-conservation programs which are now directly the responsibility of the Manager of Cultural Services.
15. That the Director of Culture and Recreation be authorized to reschedule membership rates, admissions and program fees at recreation facilities to improve cost recoveries and affordability for rentals, admissions and instructional courses as outlined in Appendix "A" attached hereto.
16. (a) That the construction of two tennis courts and fencing at Gourley Park and the resurfacing of Rosedale Tennis Courts (4) at an estimated cost of \$42,800. be approved.
- (b) That the Director of Culture and Recreation and the Manager of Purchasing be authorized to proceed with the tendering process for both projects, to be completed in 1992.
- (c) That the Finance and Administration Committee recommend the method of financing.
17. (a) That the T. B. McQuesten Park development concept, as outlined in Appendix "B" attached hereto, be approved.
- (b) That staff be authorized to implement a fund raising and promotional campaign to pursue cost sharing agreements with various levels of government and the private sector.
- (c) That each individual garden concept with detailed cost and maintenance implications be forwarded for the Parks and Recreation Committee's consideration prior to construction.
18. (a) That a purchase order be issued to Moore/George Associates Inc., Toronto, in the amount of \$58,000. plus G.S.T. to provide consulting services for the City of Hamilton Park and Open Space Master Plan in accordance with the revised Terms of Reference, attached hereto as Appendix "C".



- (b) That the expenditures for the Master Plan be charged to the approved 1991 Park Development and Redevelopment Programme Account No. CF629154404.
  - (c) That upon completion of the Master Plan, the available balance of funds in the Parks Master Plan work order be returned to the 5% Park Dedication Fund.
  - (d) That a contract with Moore/George Associates be entered into, satisfactory to the City Solicitor.
19. (a) That gate admission fees to the 1992 Mum Show production at the Gage Park Greenhouses be as follows:
- |                        |   |                            |
|------------------------|---|----------------------------|
| Adult/Senior           | - | \$2. (G.S.T. included)     |
| Youth (12 - 18 years)  | - | \$0.99 (no applicable tax) |
| Child (under 12 years) | - | free                       |
- (b) That at the discretion of the Director of Public Works complimentary passes be issued to donors of materials, services and/or financial support of the show.
  - (c) That following the 1992 production, staff submit a report on costs/revenues of the project.
20. (a) i. That an Offer to Purchase Tender Agreement, duly executed by Sabatino Manganiello on 1992 April 23 and scheduled for closing on or before 1992 July 24, for the purchase of the lands situated within the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 11, Concession 4, formerly in the Township of Barton, being part of Lot 51, Registered Plan 541, now in the City of Hamilton, more particularly described as being part of 410 Upper Wentworth Street, former Inverness School site, having a frontage along the easterly road limit of East 19th Street of 12.00 metres (39.37 feet) more or less, by a depth of 42.65 metres (139.92 feet) more or less, comprising a total area of 511.8 square metres (5,509.14 square feet) more or less, more particularly described as Part 8 on Registered Plan 62R-11955, be approved and completed, and the funds derived from this sale of \$40,100. be credited to Account No. CH5X303 00102 (Reserve for Property Purchases). A certified deposit cheque in the amount of \$2,005. is being held by the Treasurer pending City Council approval.



- ii. That an Offer to Purchase Tender Agreement, duly executed by Alex Charkot and Sheila Charkot on 1992 April 22 and scheduled for closing on or before 1992 July 23 for the purchase of the lands situated within the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 51, Registered Plan 541, formerly in the Township of Barton, now in the City of Hamilton, more particularly described as being part of 410 Upper Wentworth Street, former Inverness School site, having a frontage along the easterly road limit of East 19th Street of 12.00 metres (39.37 feet) more or less, by a depth of 42.66 metres (139.96 feet) more or less, comprising a total area of 511.92 square metres (5,510.44 square feet) more or less, more particularly described as Part 7 on Registered Plan 62R-11955, be approved and completed and the funds derived from this sale of \$40,000. be credited to Account No. CH5X303 00102 (Reserve for Property Purchases). A certified deposit cheque in the amount of \$2,000. is being held by the Treasurer pending Council approval.
- iii. That an Offer to Purchase Tender Agreement, duly executed by 779597 Ontario Ltd. (Giulio Trulli, President) on 1992 May 5 and scheduled for closing on or before 1992 July 21 for the purchase of the lands situated within the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 11, Concession 4, formerly in the Township of Barton, now in the City of Hamilton, more particularly described as being part of 410 Upper Wentworth Street, former Inverness School site, having a frontage of 12.00 metres (39.37 feet) more or less, along the westerly road limit of Upper Wentworth Street, by a depth of 42.65 metres (139.92 feet) more or less, comprising a total area of 511.8 square metres (5,509.14 square feet) more or less, more particularly described as Part 4 on Registered Plan 62R-11955, be approved and completed and the funds derived from this sale of \$35,000. be credited to Account No. CH5X303 00102 (Reserve for Property Purchases). A certified deposit cheque in the amount of \$1,750. is being held by the Treasurer pending Council approval.

- iv. That an Offer to Purchase Tender Agreement, duly executed by 779597 Ontario Ltd. (Giulio Trulli, President) on 1992 May 5 and scheduled for closing on or before 1992 July 20 for the purchase of the lands situated within the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 11, Concession 4, formerly in the Township of Barton, now in the City of Hamilton, more particularly described as being part of 410 Upper Wentworth Street, former Inverness School site, having a frontage along the westerly road limit of Upper Wentworth Street of 12.234 metres (40.13 feet) more or less, by a depth of 42.65 metres (139.92 feet) more or less, comprising a total area of 521.78 square metres (5,616.57 square feet) more or less, more particularly described as Part 2 on Registered Plan 62R-11955, be approved and completed and the funds derived from this sale of \$35,000. be credited to Account No. CH5X303 00102 (Reserve for Property Purchases). A certified deposit cheque in the amount of \$1,750. is being held by the Treasurer pending Council approval.
  
- v. That an Offer to Purchase Tender Agreement, duly executed by 456941 Ontario Ltd. (Paul Silvestri, President) on 1992 May 5 and scheduled for closing on or before 1992 July 22 for the purchase of the lands situated within the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 11, Concession 4, formerly in the Township of Barton, now in the City of Hamilton, more particularly described as being part of 410 Upper Wentworth Street, former Inverness School site, having a frontage along the westerly road limit of Upper Wentworth Street of 12.00 metres (39.37 feet) more or less, by a depth of 42.66 metres (139.96 feet) more or less, comprising a total area of 511.92 square metres (5,510.44 square feet) more or less, more particularly described as Part 6 on Registered Plan 62R-11955, be approved and completed and the funds derived from this sale of \$35,000. be credited to Account No. CH5X303 00102 (Reserve for Property Purchases). A certified deposit cheque in the amount of \$1,750. is being held by the Treasurer pending Council approval.

- vi. That an Offer to Purchase Tender Agreement, duly executed by 456941 Ontario Ltd. (Paul Silvestri, President) on 1992 April 24 and scheduled for closing on or before 1992 July 27 for the purchase of the lands situated within the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 11, Concession 4, formerly in the Township of Barton, now in the City of Hamilton, more particularly described as being part of 410 Upper Wentworth Street, former Inverness School site, having a frontage along the easterly road limit of East 19th Street of 12.00 metres (39.37 feet) more or less, by a depth of 42.65 metres (139.92 feet) more or less, comprising a total area of 511.8 square metres (5,509.14 square feet) more or less, more particularly described as Part 9 on Registered Plan 62R-11955, be approved and completed and the funds derived from this sale of \$40,000. be credited to Account No. CH5X303 00102 (Reserve for Property Purchases). A certified deposit cheque in the amount of \$2,000. is being held by the Treasurer pending Council approval.
- vii. That an Offer to Purchase Tender Agreement, duly executed by 779597 Ontario Ltd. (Giulio Trulli, President) on 1992 May 5 and scheduled for closing on or before 1992 July 16 for the purchase of the lands situated within the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 11, Concession 4, formerly in the Township of Barton, now in the City of Hamilton, more particularly described as being part of 410 Upper Wentworth Street, former Inverness School site, having a frontage along the easterly road limit of East 19th Street of 12.00 metres (39.37 feet) more or less, by a depth of 42.65 metres (139.92 feet) more or less, comprising a total area of 511.8 square metres (5,509.14 square feet) more or less, being more particularly described as Part 10 on Registered Plan 62R-11955, be approved and completed and the funds derived from this sale of \$40,000. be credited to Account No. CH5X303 00102 (Reserve for Property Purchases). A certified deposit cheque in the amount of \$2,000. is being held by the Treasurer pending Council approval.



- viii. That an Offer to Purchase Tender Agreement, duly executed by 456941 Ontario Ltd. (Paul Silvestri, President) on 1992 May 5 and scheduled for closing on or before 1992 July 17 for the purchase of the lands situated within the Regional Municipality of Hamilton-Wentworth, being composed of Part of Lot 11, Concession 4, formerly in the Township of Barton, now in the City of Hamilton, more particularly described as being part of 410 Upper Wentworth Street, former Inverness School site, having a frontage along the easterly road limit of East 19th Street of 12.319 metres (40.41 feet) more or less, by a depth of 42.65 metres (139.92 feet) more or less, comprising a total area of 525.4 square metres (5,655.60 square feet) more or less, being more particularly described as Part 11 on Registered Plan 62R-11955, be approved and completed and the funds derived from this sale of \$40,000. be credited to Account No. CH5X303 00102 (Reserve for Property Purchases). A certified deposit cheque in the amount of \$2,000. is being held by the Treasurer pending Council approval.
- (b) That the Purchasers as referred to in Section (a) covenant to the City to comply with the overall Grading Plan, the detailed Grading Plan and the Service Agreement in its construction on the purchased land and in the related matters set out therein as requirements of the City.
- (c) That a certified security deposit in the amount of \$3,000. be held by the Treasurer as security against completion of the grading specifications, which monies shall be returned to the Purchasers as referred to in Section (a) upon producing a grading certificate in a form satisfactory to the Building Commissioner in compliance with the terms and conditions of this Agreement.
- (d) That this land be conveyed to the Purchasers as referred to in Section (a) subject to an easement (in a form satisfactory to the City Solicitor) over the subject land for the benefit of the Vendor for the purpose of enabling the Vendor, in its discretion, to enter the land to carry out lot grading or other matters in the event the Purchaser fails to comply with the requirements of:
- the overall Grading Plan
  - the Service Agreement and
  - the said approved detailed Grading Plan.



The Vendor may do such works as may be required so that the lot grading and other required matters are in compliance with the said requirements. The Purchaser agrees to enter into the easement at least two (2) weeks prior to closing and to register the easement on title to the land prior to the closing of the sale of this land to the Purchaser. The Purchaser agrees that the costs incurred by the Vendor in performing said works shall be deducted from the refundable security and upon release of the easement provided for below, the Vendor agrees to return any remaining monies to the Purchaser less said costs without interest or penalty and subject to the provisions on the refund set out in the Service Agreement. Notwithstanding and without limiting the foregoing, the Vendor reserves the right to apply the said security against the cost to remedy any of the default of the Purchaser under this Agreement, the Service Agreement or any other unpaid taxes or charges due the City and to take all other action to recover its costs should said costs exceed the amount of security. The said easement will expire five (5) years after the completion of construction of a house on the land or upon written release by the City of the easement, whichever is earlier.

- (e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
- 21. That the Parks and Recreation Committee be authorized to issue an "Execu-Pass" to the Members of City Council, City of Hamilton Department Heads and other individuals that the Committee deems appropriate.
- 22. That an agreement between the City of Hamilton and 815562 Ontario Limited (operating as "The Tiger Cat Football Club") for the use of Ivor Wynne Stadium by the Canadian Football League Franchise Team be approved pursuant to the terms and conditions as set out in Appendix "D" attached hereto in form and substance satisfactory to the City Solicitor.

**Respectfully Submitted,**

**ALDERMAN T. JACKSON, CHAIRPERSON  
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson  
Secretary**

**1992 May 19**

Appendix "A" as referred to in  
Section 15 of the ELEVENTH Report  
of the Parks and Recreation  
Committee for 1992

RATES AND FEES

COMMUNITY RECREATION CENTRES

EFFECTIVE JUNE 1, 1992

SUMMER MEMBERSHIPS  
JUNE 1ST - LABOUR DAY

FAMILY	\$40.00	EXISTING	\$38.20
SINGLE PARENT	\$30.00	EXISTING	\$28.68
ADULT	\$25.00	EXISTING	\$24.72
YOUTH	\$10.00	EXISTING	\$8.99
SENIOR	\$8.00	EXISTING	\$5.62
DISABLED	\$8.00	EXISTING	\$3.37
REPLACEMENT	\$1.00	EXISTING	\$1.12

NON RESIDENT RATE - PREMIUM OF ADDITIONAL 50% PER CURRENT POLICY  
G.S.T. INCLUDED IN RATE

SUMMER CARDS VALID AT INDOOR AND OUTDOOR POOLS

OUTDOOR POOLS - SUMMER

SUMMER SWIMMING MEMBERSHIP  
JUNE - LABOUR DAY

FAMILY	\$20.00	EXISTING	\$11.24
SINGLE PARENT	\$15.00	EXISTING	\$8.45
ADULT	\$10.00	EXISTING	\$6.74
YOUTH	\$6.00	EXISTING	\$3.37
SENIOR	\$6.00	EXISTING	\$2.25
DISABLED	\$6.00	EXISTING	\$2.25
REPLACEMENT	\$1.00	EXISTING	\$0.59

NON RESIDENT RATE - PREMIUM OF ADDITIONAL 50% PER CURRENT POLICY  
G.S.T. INCLUDED IN RATE

SUMMER CARDS VALID AT OUTDOOR POOLS ONLY

*OUTDOOR POOLS SUMMER*

DAILY ADMISSIONS

FAMILY	\$3.00	EXISTING	\$2.25
SINGLE PARENT	\$2.00	NEW CATEGORY	
ADULT	\$1.50	EXISTING	\$1.12
YOUTH	\$1.00	EXISTING	\$0.57
SENIOR	\$1.00	EXISTING	\$0.28
DISABLED	\$1.00	EXISTING	\$0.28

G.S.T. INCLUDED IN RATE

*COMMUNITY RECREATION CENTRES - SUMMER*

DAILY ADMISSIONS

FAMILY	\$4.40	EXISTING	\$4.40
SINGLE PARENT	\$4.00	EXISTING	\$4.00
ADULT	\$3.00	EXISTING	\$3.00
YOUTH	\$2.00	EXISTING	\$2.00
SENIOR	\$2.00	EXISTING	\$1.00
DISABLED	\$2.00	EXISTING	\$1.00

G.S.T. INCLUDED IN RATE

**POOL RENTAL RATES**

**POOL RENTAL RATES  
INDOOR/OUTDOOR**

INCLUDES TWO LIFEGUARDS PER HOUR	\$75.00	EXISTING	\$56.18
ADDITIONAL LIFEGUARD PER HOUR	\$15.00	EXISTING	\$10.18

**G.S.T. INCLUDED IN RATE**

**HOT POOL RENTAL**

PER HOUR 1 LIFEGUARD	\$20.00	EXISTING	\$11.24
ADDITIONAL LIFEGUARD PER HOUR	\$15.00	EXISTING	\$10.18

**G.S.T. INCLUDED IN RATE**



**COMMUNITY RECREATION CENTRES**

SENIORS	\$10.00	EXISTING	\$7.00
DISABLED	\$10.00	EXISTING	\$7.00
REPLACEMENT	\$3.00	EXISTING	\$2.00
INSTRUCTIONAL	\$10.00	EXISTING	\$6.55

**ARENAS**

SENIORS	\$10.00	EXISTING	\$5.00
DISABLED	\$10.00	EXISTING	\$5.00
REPLACEMENT	\$3.00	EXISTING	\$2.00
INSTRUCTIONAL	\$10.00	EXISTING	\$7.00

NON RESIDENT RATE - PREMIUM OF ADDITIONAL 50 % PER CURRENT POLICY  
G.S.T. INCLUDED IN RATE

## ARENAS - LOUNGE

### ARENAS

#### ARENA FACILITIES

LOUNGE MEETING ROOMS COMMUNITY GROUPS AND THOSE AFFILIATED WITH ARENA FOR MEETINGS AND REGISTRATIONS YOUTH SPORTS, COMMUNITY COUNCILS	NO CHARGE
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#### ADULT GROUPS PER HOUR

\$20.00

EXISTING \$11.24

#### YOUTH GROUPS PER HOUR

\$15.00

NO CATEGORY

#### SPECIAL EVENTS

ARENAS - MOUNTAIN,  
LAWFIELD & ROSEDALE

\$40.00

EXISTING \$22.47

SERVING ALCOHOLIC BEVERAGES  
PER HOUR

## ARENAS - LOUNGE

### ARENAS - Cont'd

#### SPECIAL EVENTS

ARENAS - MOUNTAIN, LAWFIELD & ROSEDALE	\$50.00	EXISTING	\$44.94
SELLING ALCOHOLIC BEVERAGES PER HOUR			

#### BUSINESS

ALL ARENAS - NO ALCOHOL PER HOUR	\$35.00	EXISTING - NO CATEGORY
GENERATE FURTHER BUSINESS FOR PROFIT MAKING EVENTS		

#### CARD SHOWS

PER HOUR	\$40.00	EXISTING - NO CATEGORY
PLUS PER TABLE	\$10.00	EXISTING - NO CATEGORY

G.S.T. INCLUDED IN ALL ABOVE RATES

## ARENAS - ICE SURFACE

<i>SUMMER ICE RENTALS</i> <i>LAWFIELD ARENA</i>
--

YOUTH NON PRIME	\$82.00	EXISTING	\$78.65
YOUTH PRIME TIME	<del>\$82.00</del>	EXISTING	\$78.65
ADULT NON PRIME	\$82.00	EXISTING	\$78.65
ADULT PRIME TIME	\$120.00	EXISTING	\$95.50
MINOR HOCKEY	\$70.00		

G.S.T. INCLUDED IN RATE

<i>SUMMER RINK SURFACES</i>
-----------------------------

ADULT GROUPS	\$35.00	EXISTING	\$33.71
YOUTH GROUPS	\$20.00	EXISTING	\$16.85

SPORTING GROUPS WITH ADMISSION (OR 30% OF GROSS) JR. LEVEL LACROSSE BALL HOCKEY, ETC.	\$95.00	EXISTING	\$89.88
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PER HOUR

COMMUNITY GROUPS NO ADMISSION OR REVENUE PER HOUR	\$35.00	EXISTING	\$33.71
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## ARENAS - ICE SURFACE

### SUMMER RINK SURFACES

REVENUE PRODUCING FOR RECOGNIZED CHARITY PER HOUR	—\$35.00	EXISTING	\$33.71
CARD SHOWS PER HOUR	\$50.00	EXISTING - NEW CATEGORY	
PER TABLE	\$10.00	EXISTING - NEW CATEGORY	

NOTE:  
CASUAL LABOUR, SET UP, CLEAN-UP, AND MISCELLANEOUS  
SERVICES MAY REQUIRE ADDITIONAL FEES TO BE CHARGED

## RECREATION CENTRE

### COMMUNITY ROOM RENTALS

COMMUNITY ROOM - THOSE  
AFFILIATED WITH CENTRE  
FOR MEETING AND RECREATIONS NO CHARGE  
YOUTH SPORTS/COMMUNITY COUNCIL

### ADULT GROUPS

PER HOUR	\$20.00	EXISTING	\$11.24
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### MONTH GROUPS

PER HOUR	\$15.00	EXISTING	\$5.62
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### SPECIAL EVENTS

### BUSINESS

PER HOUR	\$35.00	EXISTING	\$28.09
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GENERATE FURTHER BUSINESS  
FOR PROFIT MAKING EVENTS

COMMUNITY ROOM

CARD SHOWS

PER HOUR	\$40.00	EXISTING - NO CATEGORY
PLUS PER TABLE	\$10.00	EXISTING - NO CATEGORY

GYMNASIUM

CARD SHOW

PER HOUR	\$50.00	EXISTING - NO CATEGORY
PLUS PER TABLE	\$10.00	EXISTING - NO CATEGORY

NOTE:  
CASUAL LABOUR, SET UP, CLEAN-UP, AND MISCELLANEOUS  
SERVICES MAY REQUIRE ADDITIONAL FEES TO BE CHARGED

G.S.T. INCLUDED IN ALL ABOVE RATES





CITY OF HAMILTON  
PARK AND OPEN SPACE MASTER PLAN  
REVISED TERMS OF REFERENCE

A. INTRODUCTION:

The City of Hamilton wishes to renegotiate with Moore George and Associates the terms of their previous proposal to provide consulting services to the City to undertake the development of a City of Hamilton Park and Open Space Master Plan.

Moore George and Associates shall work under the direction of the Park and Recreation Citizen's Advisory Committee and the Technical Advisory Committee. These committees have representation from Hamilton's Elected Officials, Citizens and Staff Members of various departments and agencies and will provide guidance and resource functions to the Consultant.

A collaborative, team approach will be required to facilitate the range of tasks necessary to complete the research and coordination to develop both the Master Plan and effective strategies for its successful implementation.

B. BACKGROUND

The City of Hamilton owns and manages approximately 2000 acres of developed parkland and a further 2000 acres of undeveloped park and open space lands. Improving the quality and effectiveness of our diverse park and open space resources and the services provided by the various agencies that are responsible for the management of these resources, requires that greater efforts be directed towards comprehensive planning.

Hamilton's greenspace resources include environmentally sensitive Niagara Escarpment properties, Carolinian forest tracts, Lake Ontario and Hamilton Harbour shorelines, parkettes, neighbourhood, community and City level parks, historic park sites and developed recreational sports parks.

The background information on these various sites is split amongst many different civic departments and agencies and has become difficult to retrieve, outdated and in many instances non-existent. In order to make sound planning and management decisions, the City requires a full inventory and evaluation of its' park and open space resources.

The resource inventory and evaluation data will be integrated into a computerized information management system that is designed for user friendly access by many different civic departments. This dynamic information management system, supplied by the Consultant, will provide the City with a valuable planning and management tool, capable of manipulating the inventory and related data. This system would integrate with the City's existing and proposed information systems.

#### **Background (continued)**

The Citizens of Hamilton are expressing a heightened awareness and concern over the various issues which govern the extent, condition and best use of our park and open space resources. In order to improve the satisfaction, understanding and involvement of Hamilton's Residents towards the attainment of their aspirations for adequate, quality park and open space resources and services, the City must undertake a full review of the standards, policies and procedures which govern these resources.

This review will extend beyond existing civic documents and policies such as the Culture and Recreation Master Plan, Vision 2000, Park Expenditure Policies, zoning by-laws and the Official Plan, to identify and integrate opportunities between the City, the Public and other Agencies involved in the management of non-civic greenspace resources.

The City of Hamilton Park and Open Space Master Plan will bridge a broad range of issues and disciplines through the development of an integrated set of policies, standards and programmes which will provide the necessary strategies and guidance to successfully acquire, develop and manage our park and open space resources to satisfy current and future demands.

#### **C. SCOPE OF WORK**

##### **GENERAL**

The intent of this invitation is to obtain a proposal from a selected Consultant to provide a complete service to the City of Hamilton for the preparation of a Park and Open Space Master Plan, as described herein.

##### **INVENTORY AND DATA COLLECTION**

1. The Consultant shall attend an initial meeting with the Technical Advisory Committee, to review the preliminary project programme outlined in these Terms of Reference, discuss possible changes or refinements, determine project time frame and strategies to achieve "milestones", review reporting format, establish meeting schedules and communication channels.
2. The Consultant is responsible for the co-ordination of the City of Hamilton's staff efforts in compiling a full inventory of all civic park and open space lands. To facilitate this task the Consultant shall collaborate with various Civic Departments and Agencies, review existing documents and background information and prepare strategies for the preparation and maintenance of the inventory data.

D. MASTER PLAN DOCUMENTATION

1. The Consultant shall document all findings and make the following submissions:

a) Inventory and data Collection:

- Report - provide five (5) copies of a draft report
- provide one (1) camera ready copy of final report

b) Master Plan Document

- Interim Report - provide five (5) copies
- Draft Master Plan - provide five (5) copies
- Final Master Plan - provide five (5) copies

E. FUNDING

A funding limit of \$60,000.00 has been established for the development and implementation of the Park and Open Space Master Plan.

F. MEETINGS

The meetings to be attended during the development of the Master Plan will include:

- initial orientation meeting
- 3 progress meetings with each of the Citizens Parks and Recreation Advisory and Technical Committees. For convenience meetings with these 2 committees will be scheduled to occur on the same days
- 2 Public meetings with evening sessions to receive input and present recommendations to the Public
- 1 morning meet to present the Master Plan to, and seek approval from the appropriate Standing Committee of Council
- Should any additional meetings be required, the Consultant will be compensated according to the hourly rates supplied

**TERMS AND CONDITIONS FOR A LICENSED  
AGREEMENT WITH 815562 ONTARIO LIMITED OPERATING  
AS THE "HAMILTON TIGER CATS FOOTBALL CLUB" (The Club)**

**1. TERM**

A three (3) year term commencing in 1992 will be negotiated for the playing of training camps, pre-season, regular season and post season football games from May to December of each year.

**2. CITY OF HAMILTON CHARGES FOR THE TERM OF THIS AGREEMENT**

**(i) Pre-Season And Regular Season Games**

The licensee to pay for the pre-season and regular season the following license fee consideration per game.

- (a) A base rate of \$5,000.00.
- (b) Plus 10% of gross ticket sales beyond the \$400,000.00 level to a maximum of \$10,000.00 for each game.

**(ii) Play-Off Games**

The licensee to pay for the play-off season a license fee consideration per game.

- (a) A base rate of \$10,000.00.
- (b) Plus 10% of gross ticket sales beyond the \$400,000.00 level to a maximum of \$15,000.00.

\*The above-noted base rates and gross ticket sale levels exclude applicable taxes, P.S.T. and GST charges.

**(iii) Training Camps And Practice Sessions**

The licensee to pay for the training camp and practice sessions a license fee consideration of \$5,000.00 for each of the three years of this contract.

**3. FOOD AND BEVERAGE SERVICES**

The licensee to pay for the food and beverage a licensee fee consideration of \$2,000.00 for each of the three years of this contract.



4. **PROGRAM SOUVENIR AND NOVELTY SALES**

The licensee shall have exclusive rights to sell game programs souvenirs and novelties for all events related to or sponsored by the Club. The Club will be responsible for all costs related to such sales of merchandise.

5. **DISPLAY ADVERTISING, SPONSORSHIP AND PROMOTIONS**

The Club shall have exclusive rights to place display advertising signage, event sponsorship and associated promotional revenues related to or sponsored by the Club. The Club shall position the City ahead of other levels of Government and private sector for advertising and promotion opportunities.

6. **RADIO AND TELEVISION RIGHTS**

The Club shall have exclusive rights to any and all radio and television broadcasting of the football games in Ivor Wynne Stadium. Further, the Club shall be responsible for all costs related thereto. The Club shall position the City advantageously in radio and television broadcasts.

7. **GAME SCHEDULE**

The Club will be given preference for all game day scheduling and will include preference for stadium use on the day prior to the game.

8. **TICKET SALES**

The Club shall have exclusive responsibility for all ticket sales. Ticket prices shall be fixed by the Club provided the City be notified of ticket prices. Stadium notices shall contain the following clause. Holder of ticket voluntarily assumes all risks and danger incidental to the admission to the Ivor Wynne Stadium and incidental to any event for which this ticket is issued, whether occurring prior to, during or subsequent to the actual game, and holder releases the Football Club and The City of Hamilton and the participants in the event from any liability thereof howsoever and wherever caused and whether caused by negligence or not. Admission is subject to compliance with all laws and regulations. Failure to comply may result in non-admission or ejection.

9. **GENERAL CLAUSES**

The license agreement executed between the City and the Club will include clauses to comply with:

- 9.1 The Club's responsibility for all applicable Federal, Provincial and Municipal-Regional Laws.
- 9.2 The Club's responsibility to indemnify the City against amounts of any and all damages caused to Ivor Wynne Stadium/Brian Timmis Stadium caused as a result of using these facilities. All indemnities shall survive any termination or expiry of this agreement.
- 9.3 The Club's responsibility for Property and Public Liability Insurance including Liquor License Act Liability endorsement for food, beverage and souvenir concessions.
- 9.4 The Club's indemnity for the city against any responsibility for loss however caused.
- 9.5 The City's covenant for Stadium maintenance, repair, staffing (except concessions) \*police protection.
- 9.6 The Club's responsibility for electronic security and electronic scoreboard.
- 9.7 The City's responsibility for lease-hold improvements to buildings and non-chattels to all stadium facilities.
- 9.8 The Club's responsibility for concession equipment, maintenance and upkeep.
- 9.9 The City's responsibility for providing a satisfactory public address system.

10. **CHANGE OF OWNERSHIP**

The Club may without prior written consent of the City of Hamilton transfer all business undertaking assets and goodwill to a non-profit community based Corporation.

The lease shall not at any time be assigned, transferred or sublet in whole or in part without written consent of the City, such consent would not be unreasonably withheld.







## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TENTH** Report for 1992 and respectfully recommends:

1. That the City not oppose the issuance of a Heritage Permit to allow for the erection of a proposed temporary sign at 108-112 James Street North, subject to the terms contained in Appendix "A" as attached, and to the satisfaction of the City Solicitor.
2. That the Building Commissioner be authorized to issue demolition permits for:
  - (a) 50 Imperial Street
  - (b) 1184 Garth Street
  - (c) 1491 Upper James Street
  - (d) 1493 Upper James Street
  - (e) 1499 Upper James Street
  - (f) 1517 Upper James Street
  - (g) 1523 Upper James Street
3.
  - (a) That By-law No. 92-054 designating portions of the North End East and West Neighbourhoods as a Community Improvement Project Area for the purpose of implementing the P.R.I.D.E. Anti-Recession Programme be amended in order to include all of the proposed Project elements within the boundaries of the Community Improvement Project area as per the map attached as Appendix "B"; and,
  - (b) That the City Solicitor be authorized to prepare the necessary By-law to amend the North End East and West Community Improvement Project Area in accordance with (a) above for submission to City Council.
4.
  - (a) That the comments contained in the report "City of Hamilton Comments on Environmental Assessment Process Associated with Spectrum Management Activities", attached herewith and marked Appendix "C", be endorsed; and,
  - (b) That the City Clerk be directed to advise the Federal Minister of Communications of City Council's endorsement.

5. (a) That approval be given to application 25CDM-91002, Angelo Giacomelli, et. al., owners, to establish a draft plan of condominium located on the south side of Homewood Avenue, east of Dundurn Street South, subject to the following:

That the approval apply to the plan prepared by A. J. Clarke and Associates Limited dated 1991 April 9, showing a 4-plex building and 4 parking garages.

6. (a) That the originally approved Community Improvement Plan for the Central/Beasley Community Improvement Project Area be modified by approving the Addendum, Appendix "D" (previously distributed to members of Council under separate cover) to implement the PRIDE Housing Intensification (PRIDE H.INT.) Programme; and,

- (b) That the Addendum to the Community Improvement Plan be submitted to the Ministry of Municipal Affairs for approval; and,

- (c) That the City Solicitor be authorized and directed to prepare the requisite By-law.

7. (a) That a purchase order be issued to Johnson Sustronk Weinstein & Associates, Richmond Hill, in the amount of \$119,278.98 including all applicable taxes and a contingency allowance of \$13,088.84, for consulting services for the Central Beasley Pride H.I.N.T. Programme, being the lowest of four proposals received in accordance with specifications issued by the Manager of Purchasing and Vendor's submission.

- (b) That this expenditure be financed through Central Beasley PRIDE H.I.N.T. Programme Account No. CF5200 429102003.

- (c) That a contract be entered into satisfactory to the City Solicitor.

8. That the City Solicitor be authorized and directed to prepare a by-law to amend By-law No. 84-252 respecting Conveyance of Land for Park Purposes in order to provide an exemption to the 5% Land Dedication fee where a non-profit group builds residential buildings in which people are housed, not-for gain, by adding the following as Section 7:

Sections 2 and 3 shall not apply to land that is developed for residential purposes, used for non-profit, not-for gain purposes, and for which people are lodged or housed without remuneration.

9. That approval be given to City Initiative 92-A, Regional Municipality of Hamilton Wentworth, owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit development of the subject lands for single-family detached dwellings, in conjunction with the development of adjoining lands to the south, for property located at the rear of 89 Stone Church Road East, as shown on the attached map marked as Appendix "E", on the following basis:
- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
  - (b) That the City Solicitor be Directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9C for presentation to City Council;
  - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
10. That approval be given to amended Zoning Application 92-06, Lyle & Lorna Hostein, owners, requesting a change in zoning from "AA" (Agricultural) District to "B" (Suburban Agriculture and Residential, etc.) District to permit the creation of a new lot for a single-family dwelling, for the property located at 595 Rymal Road West, as shown on the attached map marked as Appendix "F" on the following basis:
- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "B" (Suburban Agriculture and Residential, etc.) District;
  - (b) That the "B" (Suburban Agriculture and Residential, etc.) District regulations, as contained in Section 8 of Zoning By-law No. 6593, applicable to Block "2" be modified to include the following variance as a special requirement:
    - (i) That notwithstanding Section 8(4) of Zoning By-law No. 6593, a minimum lot width of at least 18.29 m shall be permitted; and,
  - (c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1272, and that the subject lands on Zoning District Map W-27D be notated S-1272;
  - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, and Zoning District Map W-27D for presentation to City Council; and,
  - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.



11.
  - (a) That approval be given to Official Plan Amendment No. 111 to implement the Sheldon and Mewburn West Neighbourhood Plan by redesignating lands located in the centre of the neighbourhood; from "Open Space" to "Residential", "Major Institutional" to "Open Space"; and, "Open Space" to "Major Institutional" on Schedule "A" Land Use Concept, and that the City Solicitor be directed to prepare a by-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
  - (b) That the proposed map 1, plan and policies for the Sheldon and Mewburn West Neighbourhoods, Appendix "G" (previously distributed to members of Council under separate cover) be adopted by Council.
12. That approval be given to Zoning Application 91-67, West Highland Baptist Church, owner, for a change in zoning from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District, to permit future multiple family development, for lands located on the east side of Garth Street, in the area between Rymal Road West and Claudette Gate, municipally known as the southerly portion of 1605 Garth Street, as shown on the attached map marked as Appendix "H", on the following basis:
  - (a) That the subject lands be rezoned from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District;
  - (b) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:

that Section 10E(2)(a)3. of Zoning By-law No. 6593 shall not apply.
  - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1273, and that the subject lands on Zoning District Map W-17D be notated S-1273;
  - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-17D for presentation to City Council;
  - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

13. A. That approval be given to amended Zoning Application 91-54, Antony C. Dabner and David D. Hill, owners, for a modification to the established "K" (Heavy Industry, etc.) District regulations, to permit the established two-family dwelling, on property located at 276 Sanford Avenue North, as shown on the attached map marked as Appendix "I", on the following basis:
- (a) That the "K" (Heavy Industry, etc.) District regulations as contained in Section 17 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
    - (i) That notwithstanding Section 17.(1) of By-law No. 6593, a two-family dwelling shall be permitted only within the existing building;
    - (ii) That notwithstanding Section 18A.(7) of By-law No. 6593, the two required parking spaces shall have dimensions of not less than 2.64 m wide and 6.0 m long.
  - (b) That the amending By-law be added to Section 19 of Zoning By-law No. 6593 as Schedule S-1274, and that the subject lands on Zoning District Map E-21 be notated S-1274;
  - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-21 for presentation to City Council;
  - (d) That the proposed change in Zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- B. That the amending By-law not be forwarded for passage by City Council until such time as the applicant has acquired an adjoining parcel of land to the north (measuring 12.0 ft. x 50.26 ft.) to provide for the two required parking spaces. As the required adjacent parcel is part of a City alley, the applicant shall follow the usual alley closing and sale procedures to acquire the said parcel.
14. That the Planning and Law Department staff be directed to prepare for and attend the Ontario Municipal Board hearing scheduled for a Committee of Adjustment application A-91-172, 64 Fairholt Road South and 85 Dunsmure Road regarding an application to increase the present site total of 14 residents to 17 for a residential care facility.

15. That leave be granted to introduce the following Bills:

- (a) Bill C-56 A By-law to designate as a Heritage Conservation District the area comprised of St. Clair Boulevard (between Delaware Avenue and Cumberland Avenue)
- (b) Bill C-57 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal No. 322-330 Charlton Avenue West
- (c) Bill C-58 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 1158 Upper Wentworth Street
- (d) Bill C-59 A By-law to amend By-law No. 84-252 respecting Conveyance of Land for Park Purposes

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello  
Secretary  
1992 May 20

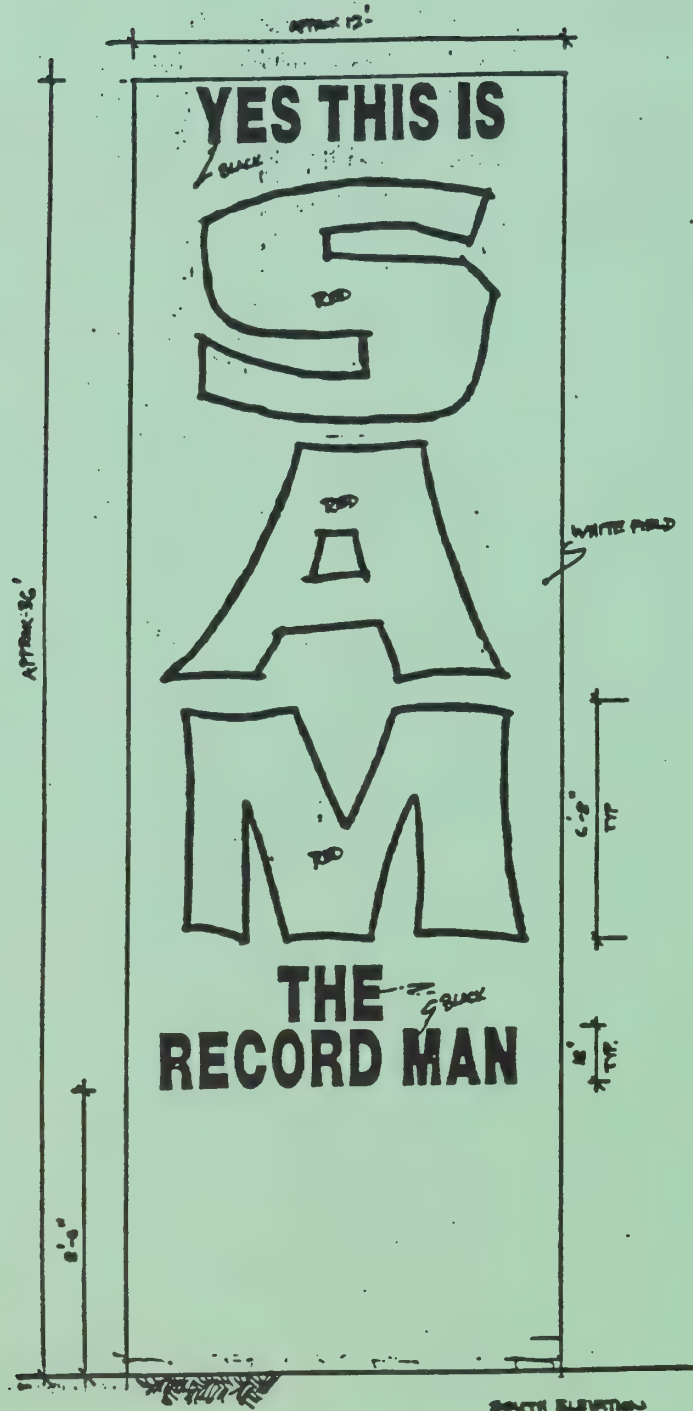
Appendix "A" referred to  
in Section 1 of the Tenth  
Report of the Planning and  
Development Committee for 1992

**SCHEDULE "A"**

City Council hereby grants its consent to the application by Seiderman Radio Sales and Service Limited (owner of 108-112 James Street North), for the issuance of a heritage permit under section 33 of the Ontario Heritage Act, to permit an alteration to 108-112 James Street North, designated by By-law No. 90-255, registered as Instrument No. 060789, which alteration will consist of the erection of a temporary sign upon the Tivoli Theatre located at 108-112 James Street North, Hamilton, upon the following conditions:

- (1) the sign shall be a temporary sign which shall be taken down upon the conclusion of the restoration of the above building, or a period of one year from the date Hamilton City Council authorizes this consent, whichever is earlier;
- (2) the consent for the temporary sign may be extended by Hamilton City Council on the terms and conditions Council deems as necessary upon application by the owner;
- (3) the sign, as proposed in a plan received from the applicant, is approved subject to the usual regulations for signs and subject to the following matters required by L.A.C.A.C.:
  - (a) maximum size: 12' wide by 36' high;
  - (b) colours: black and red letters on white field, as shown on attached drawing;
  - (c) lettering: as shown on attached drawing;
  - (d) location: south facade with minimum setback of 1' from south-west corner of building;
  - (e) building material: 3/4" plywood;
  - (f) method of securing same to the building facade:
    - 1/4" angle irons bolted to wall at mortar joints with 3 1/2" lag screws;
    - minimum 1" space between back of sign and face of brick masonry;
    - minimum of 6" above ground and supported on legs or by other means allowing for sufficient air circulation.
- (4) Hamilton City Council may require by Notice to the owner that the sign be removed by the owners at any time prior to the dates contemplated in (1), above;
- (5) the owner shall remove the sign at his own expense upon the expiry of the time periods in (1), above, or at the request of Hamilton City Council pursuant to (4), above;
- (6) where the owner has failed to comply with (5), above, the City of Hamilton may remove the sign and the costs for same shall be paid upon demand by the owner or added to the owner's municipal tax account with the City;
- (7) the owner shall enter into an agreement with the City of Hamilton in a form satisfactory to the City Solicitor accepting the foregoing conditions, assuming the obligations outlined above and providing the City with a licence to enter the land to remove the sign, if necessary; such agreement to be registered on title to the property by the owner, prior to proceeding with the said alteration.





SAM THE RECORD MAN

EXTERIOR WALL SIGN  
ON SW CORNER OF  
108 JAMES ST.  
HAMILTON, ONT

MAR 27/12  
8' x 1'-0"

Construction of sign: plywood with black and red (SAM) letters on a white background.

Appendix "B" referred to  
in Section 3(a) of the Tenth  
Report of the Planning and  
Development Committee for 1992

NORTH END EAST AND WEST COMMUNITY  
IMPROVEMENT PROJECT AREA



APPENDIX "A"

COMMENTS ON THE CONSULTATION PROCESS

1. Description of the Policy for Consultation

In applying for a radio license, an applicant must successfully undertake the Federal Environmental Assessment Process, specifically in addressing the placement of the antenna and antenna structures related to the radio operation. One component of the process places the onus on the applicant to consult with the local municipality (or land-use authority) to provide the municipality with "an opportunity to comment on a proposed antenna structure and site". The applicant then provides the Federal Ministry of Communications with a statement (on a form letter supplied by the Minister) that the municipality has been consulted.

If, during the consultation process, the applicant and the municipality cannot agree, both parties are to submit to the Federal Government their respective concerns and positions. The final decision will be rendered by the Minister of Communications.

It should be noted that the proposed policy does not require the applicant to consult with the municipality. In fact, the proposed policy clearly states that the applicant will have to bear any and all consequences for not consulting with the municipality (up to and including revocation of the license issued). The required statement from the form letter to be submitted to the Minister contains an option of "non-consultation" on the part of the applicant.

2. City of Hamilton Regulations

a) **Official Plan**

There are no specific policies in the Official Plan pertaining to radio antenna or structures. However, should the antenna be placed on land designated "RESIDENTIAL" on Schedule "A" - Land Use Concept, the following policy would have to be complied with:

"C7.1 In the development of new RESIDENTIAL areas and, as far as practicable, in the infilling or redevelopment of established areas, Council may undertake or require the following in order to achieve high standards of RESIDENTIAL amenity:

viii) Other similar actions or matters as Council may deem appropriate."

b) **Zoning By-law**

Under Section 3(4) of the City's Zoning By-law, a radio antenna attached to a principle building is considered to be a use whose height is unrestricted. An antenna not attached to the principle building must meet the setback requirements of the particular zoning district and may be located in the rear

yard only. The height, again, is unrestricted. An antenna located on a vacant lot must be located in accordance with the yard setback requirements of the particular zoning district in which the antenna is located.

3. Comments

Consultation with the municipality involved in the placement of new radio antennae and structures provides municipal officials and Council with an opportunity to have local concerns addressed. For these reasons, the principle of consulting with municipalities can be supported.

However, there are concerns with the specific process proposed by the Federal Government. Although the policy states that the consultation with the municipality is required, the applicant can choose not to do so. In fact, the statement of consultation (required to be submitted with the license application) contains an option in which the applicant may elect not to consult the municipality and bear any consequences of the non-consultation. The provision of this specific option provides every applicant with the opportunity to ignore the municipal land-use regulations by electing not to consult with the municipality. The option of non-consultation cannot be supported.

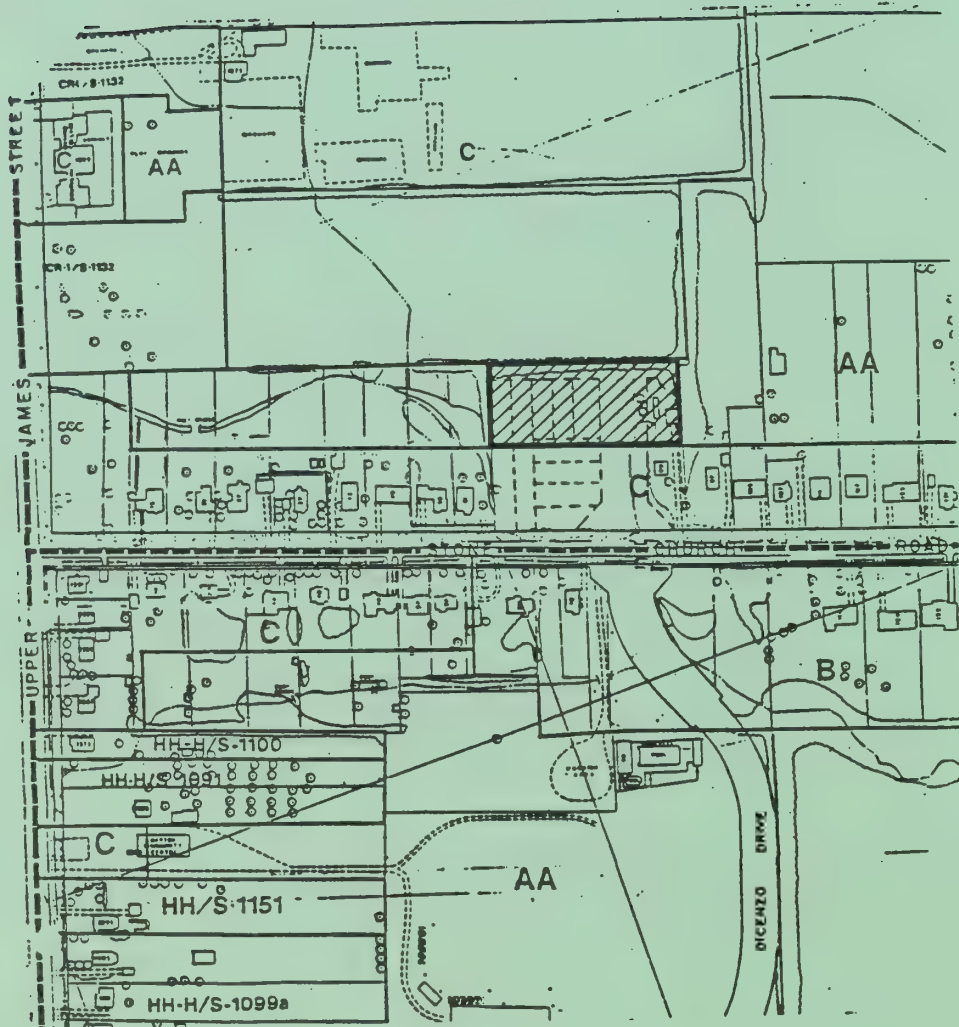
Therefore, the Federal Government should consider revising the consultation process to remove the option of non-consultation. In this regard, municipal concerns would be addressed prior to the formal application for the license. The advantages to this process are twofold: first, the municipality engages in consultation with the applicant to address any issues that may arise; and, second, both the municipal and federal governments are assured that the land use matters have been taken into account, thereby eliminating the possibility of remedial action after the issuing of the license (which can be both costly and time consuming).

4. Conclusion

On the basis of the foregoing, it would be appropriate to request the Federal Ministry of Communications to revise the consultation process to incorporate the above concerns.



Appendix "E" referred to  
in Section 9 of the Tenth  
Report of the Planning and  
Development Committee for 1992



Legend

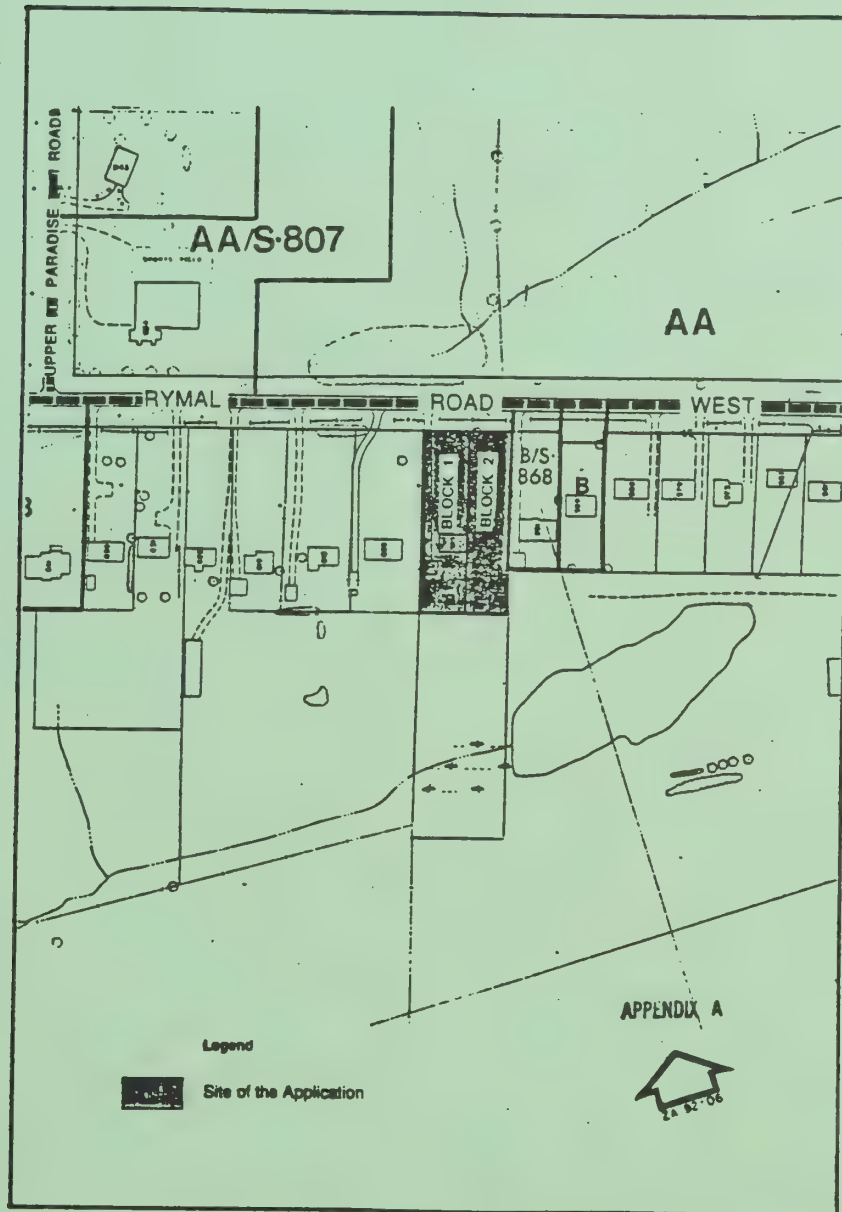


Site of the Application

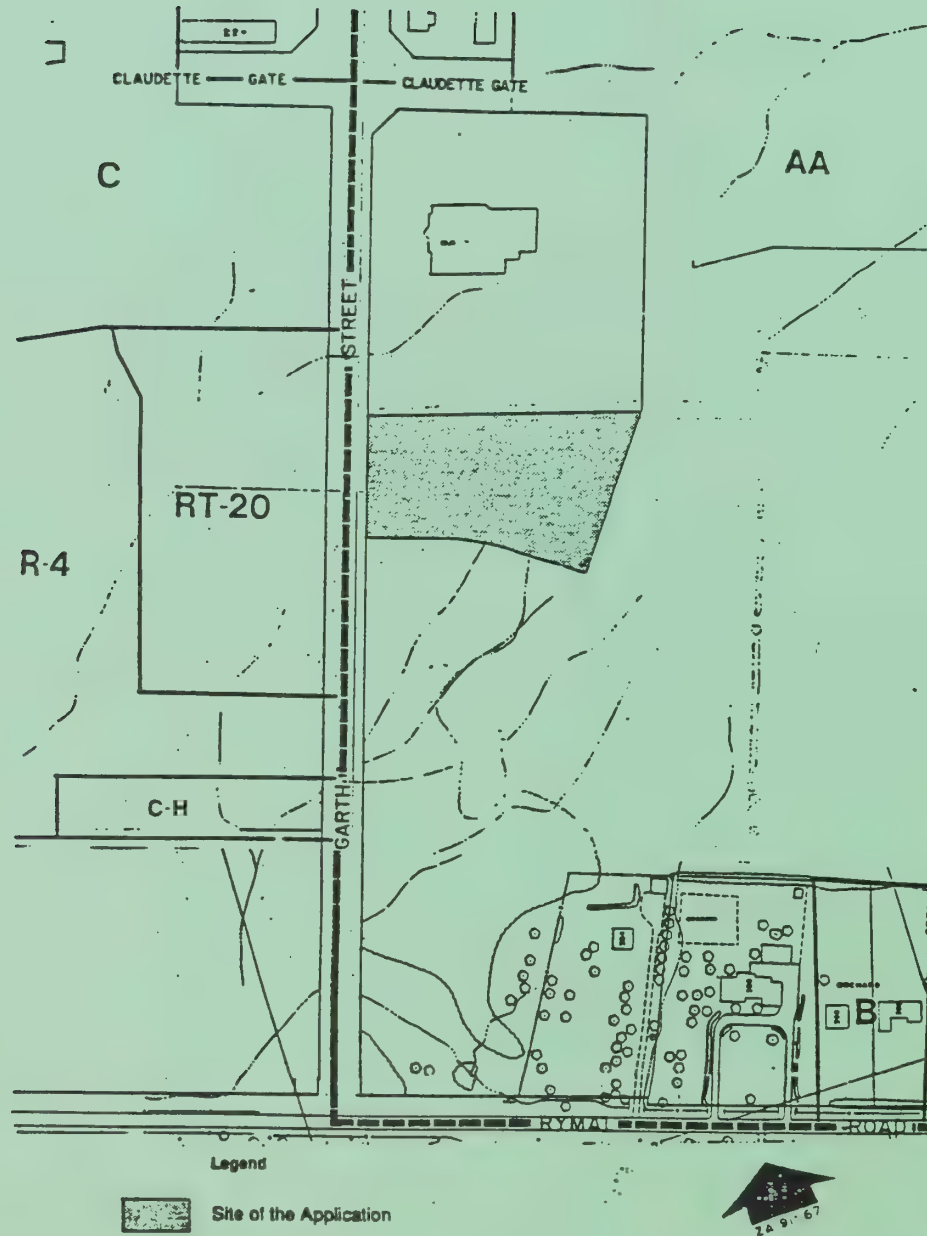


CI-92-A

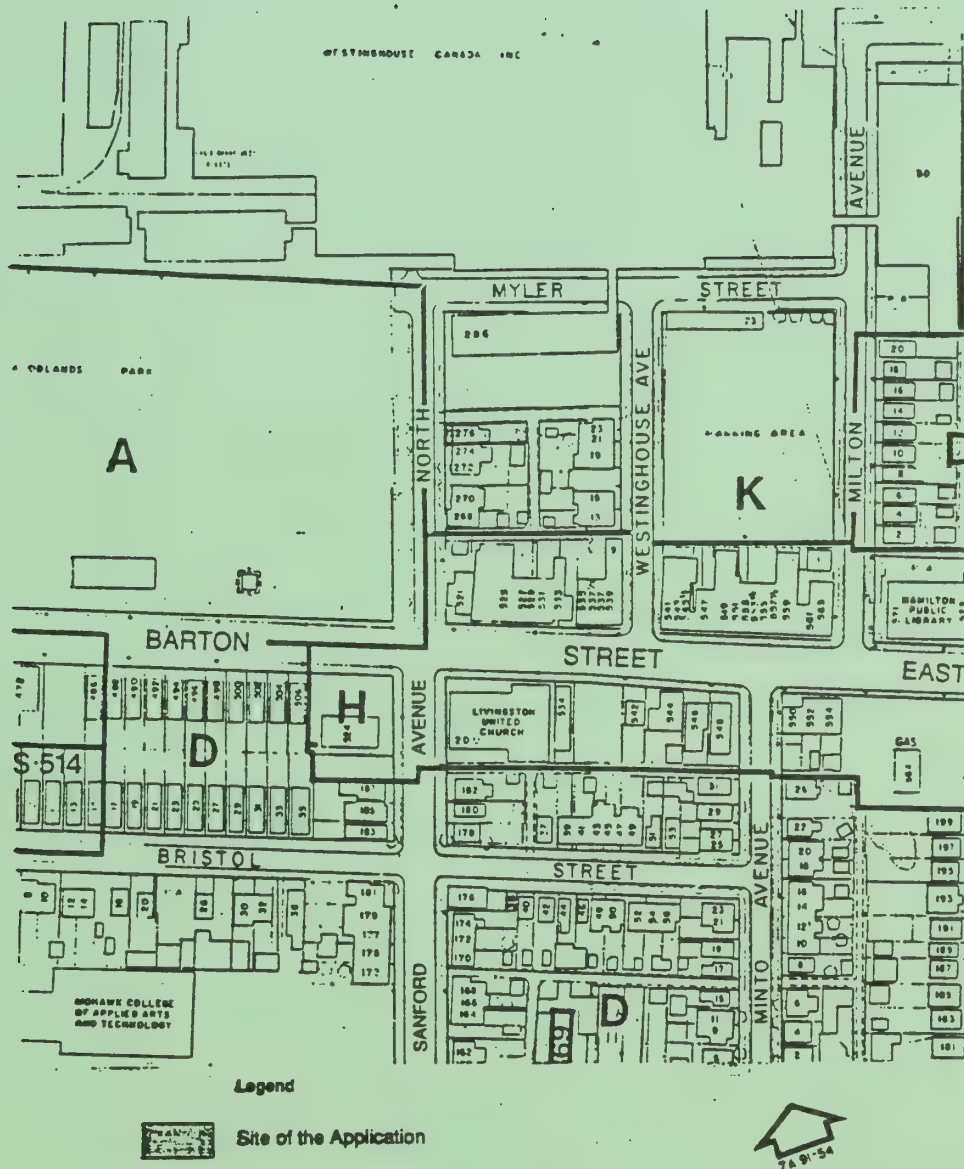
Appendix "F" referred to  
in Section 10 of the Tenth  
Report of the Planning and  
Development Committee for 1992



Appendix "H" referred to  
in Section 12 of the Tenth  
Report of the Planning and  
Development Committee for 1992



Appendix "I" referred to  
in Section 13A of the Tenth  
Report of the Planning and  
Development Committee for 1992











## REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **THIRTEENTH** Report for 1992 and respectfully recommends:

1. That a purchase order be issued to York Applied Systems, Mississauga, in the amount of \$75,628. including all applicable taxes, being the lowest of six quotations received, to provide annual service to the tower centrifugal water and ice chillers at Copps Coliseum during 1992, 1993 and 1994 in accordance with specifications issued by the Manager of Purchasing Vendor's quotation and that this expenditure be financed through Equipment Repair Account No. CH57101 46035.
2.
  - (a) That the repairs to the Rescue Body and Compartments, Replacement of the Body Frame and Body Panels, Bottle Racks, Installation of Stainless Fasteners and Hardware, Sliding Trays, Insulated Crew Cab with 40,000 B.T.U. Heater, Exhaust Fans and Seating, and Painting as required to Fire Department Rescue Unit #9 (Vehicle #1672) in the amount of \$42,000. to Paling Incorporated, the lowest of two tenders, be approved.
  - (b) That this expenditure be charged to Account No. CH 5X522 00103 Reserve for Major Vehicle Repairs.
  - (c) That the total repair cost of \$42,000. plus taxes to Fire Department Rescue Unit #9 (Vehicle #1672) be added to the original cost (being \$69,875.12) of the Rescue Unit #9 (Vehicle #1672) for depreciation purposes.
3.
  - (a) That the repairs to the Hose Body and Compartments, Walk Through and Battery Boxes, Cab and Chassis and Body Wiring to Fire Department Pumper #16 (Vehicle #1670) in the amount of \$37,230. to Paling Incorporated, the lowest of three tenders, be approved.
  - (b) That this expenditure be charged to Account No. CH 5X522 00103 Reserve for Major Vehicle Repairs.
  - (c) That the total repair cost of \$37,230. plus taxes to Fire Department Pumper #16 (Vehicle #1670) be added to the original cost (being \$133,581.59) of the Pumper #16 (Vehicle #1670) for depreciation purposes.



4. That Schedule "A" of By-law 92-118 be replaced to reflect changes in the total assessed value of the real property used as the basis for computing business assessment from \$1,077,573. to \$1,092,621. and the mill rate for the special charge from 55.0589 to 54.3281.
5. That the Council of the Corporation of the City of Hamilton advise the Liquor Licence Board of Ontario that it is aware of the two fund-raising events being held by the Hamilton Beach Rescue Unit Association at their Club at 316 Beach Boulevard on 1992 June 13 and 19, and has no objection to the issuance of a Temporary Extension of their Liquor Licence to allow alcohol to be served and consumed on the outdoor premises.
6. That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a Special Occasion Permit being granted to the Earthsong Festival being held 1992 July 1 - 5, Princess Point/Cootes Paradise.
7. That approval be given to the action taken by the City Clerk in authorizing the Ride for Sight Committee to sue the City Hall forecourt and related equipment for their Tenth Annual National Fundraising Ride for Sight on Tuesday, 1992 May 12 from 1:15 - 1:45 p.m.
8.
  - (a) That the Croatian Democratic Union of Hamilton-Wentworth be granted permission to use the City Hall forecourt and related equipment on Saturday, 1992 May 30 from 2:00 - 3:00 p.m. to celebrate the first anniversary of the Croatian State.
  - (b) That permission be granted to the Croatian Democratic Union of Hamilton-Wentworth to fly the Croatian flag at City Hall on Saturday, 1992 May 30.
  - (c) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
9. That the Citizens Expressway Committee be granted permission to use the City Hall Forecourt on Friday, 1992 June 19th at 7:00 o'clock p.m.
10. That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1992 May 13, attached herewith and marked Appendix "A", be approved.

11.
  - (a) That the closing date for the purchase from the City of 1100 Limeridge Road East by the Municipal Non-Profit (Hamilton) Housing Corporation be extended from the scheduled date of 1992 May 14 to 1992 September 29.
  - (b) That interest be charged on the purchase price of \$570,000. from 1992 May 14 to the actual closing date, based on an average of the prime rate for the period of the extension.
  - (c) That the accrued interest be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases).
12. That the following three persons be appointed to fill the current vacancies on the Keep Hamilton Clean Committee:
  - (a) Jack R. Brown (term to expire 1992 December 31)
  - (b) Bob Jaggard (term to expire 1992 December 31)
  - (c) James Monahan (term to expire 1993 December 31)
13. That Ramanath (Ram) Mulki Kamath be appointed to fill the current vacancy on the Hamilton Civic Hospitals Board of Directors for a term to expire 1994 December 31.
14. For the information of the members of City Council, the Finance and Administration Committee appointed Milena Balta to serve on the English Language Sub-Committee for a term to expire 1994 November 30th.
15.
  - (a) That the City Solicitor be directed to amend the current lease Agreement between Burton Hubbard, Marguerite Hubbard and the City of Hamilton respecting the Farmers' Market Coffee Shop to include Corrado Belacca as an added licensee; and,
  - (b) That the Agreement be conditional upon all three licensees remaining active operators of the Coffee Shop.
16. That the City Solicitor be authorized and directed to amend Market By-law 81-180 to provide for the following hours of operation for the Hamilton Farmers' Market, to become effective 1992 June 01.
  - (a)

Tuesday and Thursday	7:00 a.m. - 6:00 p.m.
Friday	9:00 a.m. - 6:00 p.m.
Saturday	6:00 a.m. - 6:00 p.m.
  - (b) Saturday stallholder unloading 3:00 a.m.

17. That Section 18 of the Fifth Report for 1991 of the Finance and Administration Committee adopted by City Council at its meeting of 1991 March 12 regarding unauthorized encroachment in the Hamilton Farmers' Market, be rescinded, as it is felt violations regarding unauthorized encroachments are adequately addressed in current Market By-law 81-180.
18.
  - (a) That the City of Hamilton recommend to the Government of Ontario and to the Ontario Municipal Employees' Retirement System (OMERS) that the funds contributed to the OMERS System be utilized for their stated pension purposes and priorities, and
  - (b) That the City of Hamilton recommend to the Board of OMERS that any funds contributed by the City of Hamilton or its employees not be utilized for other specific economic development purposes and priorities without a full consultation process with member municipalities and the concurrence of those municipalities to the proposal.
19. That the following resolution from the Town of Newmarket respecting a Provincial proposal to invest funds from OMERS be received:

BE IT RESOLVED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

THAT the Council of the Town of Newmarket advise the Province of Ontario that it strongly opposes any proposal to invest funds from the Ontario Municipal Employees Retirement System with any purpose, priority or goal other than to fund the pensions of the contributors;

AND THAT the Province of Ontario be advised that the Town of Newmarket specifically opposes the proposal to use OMERS funds to invest in any long term growth industries through a crown corporation as a part of an economic renewal strategy;

AND THAT the Town of Newmarket endorse the efforts of the OMERS Board to resist the proposal of the Provincial Government to use the OMERS pension fund to invest in growth industries in Ontario through a crown corporation and that the OMERS Board be so advised.

AND THAT this resolution be circulated to all Ontario Municipalities with a population over 20,000;



AND THAT the Premier of Ontario, the Minister of Municipal Affairs, Mr. Charles Beer, M.P.P. and The Association of Municipalities of Ontario be so advised.

20. That the following resolution from the City of Etobicoke respecting the use of OMERS to fund Provincial Industrial Strategy, be received:

WHEREAS the Ontario Government will probably announce in its upcoming budget the formation of an Ontario Investment Fund (O.I.F.) derived from monies from a wide variety of public sector pension funds; and

WHEREAS many of these public sector employees pension funds (such as OMERS - The Ontario Municipal Employees' Retirement System) already heavily invests in Ontario real estate, equities, bonds and other assets; and

WHEREAS any government funding for selecting industrial/commercial winners such as the Bricklin Project in New Brunswick or dozens of different projects funded by the Alberta Heritage Fund have usually failed; and

WHEREAS the Ontario Government has not made a solid business case for this proposal in terms of evaluating risk/return ratios, the absence of a long term investment management team in place, contributors bear the risk and the current absence of specific financial controls; and

WHEREAS the Ontario Government has a moral obligation to protect all these pension funds in its fiduciary role;

THEREFORE BE IT RESOLVED that Etobicoke City Council go on record in requesting that the Ontario Government refrain from taking monies from the public sector pension funds to finance its industrial strategy in the light of employees who feel extremely threatened about the financial survival of their retirement years and undertake to finance its industrial strategy from general revenues - if it must do so!



21.
  - (a) That the 1991 Financial Report of the City of Hamilton as previously distributed by the Committee Secretary to all members of Council, be received for information purposes; and
  - (b) That the City Treasurer arrange to publish on one occasion the required 1991 financial statements, based on the audited report, in The Hamilton Spectator as soon possible, but in any event, within sixty days of receiving the audited statements and in accordance with regulations of the Ministry of Municipal Affairs; and
  - (c) That selected statements of the 1991 audited Financial Report be printed in brochure type report form for distribution to banks, other financial institutions and other interested parties.
22.
  - (a) That the Regional Municipality of Hamilton-Wentworth be requested to direct its Health Inspectors to assist with the enforcement of the City of Hamilton's Smoking Control Programs.
  - (b) For the information of the members of City Council, the Finance and Administration Committee in approving the By-law to License and Regulate the Sale of Tobacco to Minors for a \$25. licence fee, have directed staff to design a dual purpose licence and sign respecting this By-law which must be posted by retailers selling tobacco.
23. That the City of Hamilton decline the Plaintiff's Offer to Settle Ontario Court (General Division) Action No. 9822/87 dated 1992 May 1.
24.
  - (a) That the City of Hamilton agree to settle Ontario Court of Justice (General Division) Action No. 15491/89 by the payment of \$5,000. inclusive of damages, interest and costs, to the Plaintiffs, Bosa and Milos Zlojutro; and
  - (b) That the City of Hamilton obtain from Bosa and Milos Zlojutro, a Release satisfactory to the City Solicitor and that Ontario Court of Justice (General Division) Action No. 15491/89 be dismissed as against the City of Hamilton without costs.

25. That the construction covenants as contained in the Offer to Purchase of the property at 18 Main Street East, the south west corner of Main Street East and Hughson Street South, from DeSantis Group Inc., and as contained in the Deed from the City to DeSantis Group Inc. of the same property, be amended as follows:
- (a) That the construction commencement date be extended to, on or before 1994 November 30, and the construction completion date be on, or before 1996 November 30;
  - (b) That a further extension of two (2) years of the construction commencement and completion dates be granted at the pleasure of the City;
  - (c) That if during the extension period(s) of the construction covenants, the City deems the local economy to be in a condition for the DeSantis development, as outlined in the Site Plans attached herewith and marked Appendix "B", to be economically viable, the City has the right to ask the DeSantis Group to commence construction within a 180 day period. If DeSantis disputes the City's claim of the economic viability of the project, the Agreement will provide for arbitration of the issue;
  - (d) That in the event that at the end of the extension period(s) (1994 November 30 or 1996 November 30) the City has grounds to exercise its rights to re-purchase the property, the City shall either exercise such right within 90 days of the expiry of said extension period(s) or the City's right to re-purchase shall expire and all restrictive covenants shall be released from the title of the land;
  - (e) That the DeSantis Group shall continue to operate a public surface parking lot from the site during any extension period, so as to provide continued public parking for the area;
  - (f) That the DeSantis Group must agree that there will be no claim for compensation or damages against the City in the event the City chooses to re-purchase the property for non performance by the DeSantis Group.
  - (g) That the Mayor and City Clerk be authorized to execute an Agreement to amend the Agreement of Purchase and Sale and the Deed from the City to DeSantis, incorporating the changes;
  - (h) That time is to remain of the essence and all other terms and conditions are to remain the same.

26. That leave be granted to introduce the following Bills:

- (a) Bill H-40 A By-law to amend By-law 79-323 respecting the Licensing of:  
Retail Stores selling Tobacco, Cigars or Cigarettes.
- (b) Bill H-41 A By-law to confirm the Proceedings of the Council of the  
Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. ROSS, CHAIRPERSON  
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder  
Secretary  
1992 May 21

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Betty Carter	Administrative Assistant II (0)	Clerk's	Replacing Ms. R. Morrison - retired	\$34,001.76 to \$39,962.52	20/04/92
Mr. David Costantino	Maintenance Assistant (8)	H.E.C.F.I.	Replacing Mr. F. Lucci - terminated	\$25,061.40 to \$29,260.92	21/04/92
Mr. Joseph Iannuzzi	Lieutenant (C-7)	Fire	Replacing Mr. G. Beasley - promoted	\$53,105.63	19/04/92
Mr. William Pasel	Captain (C-8)	Fire	Replacing Mr. G. Almas - promoted	\$57,553.17	19/04/92
Mr. Vittorio Settini	Rink Attendant I (D-168)	Culture & Recreation	Replacing Mr. J. Allen - promoted	\$34,326.24	30/03/92

Prepared 13/05/92

Appendix "A" referred to in Section 10 of the Thirteenth Report of the Finance and Administration Committee for 1992.

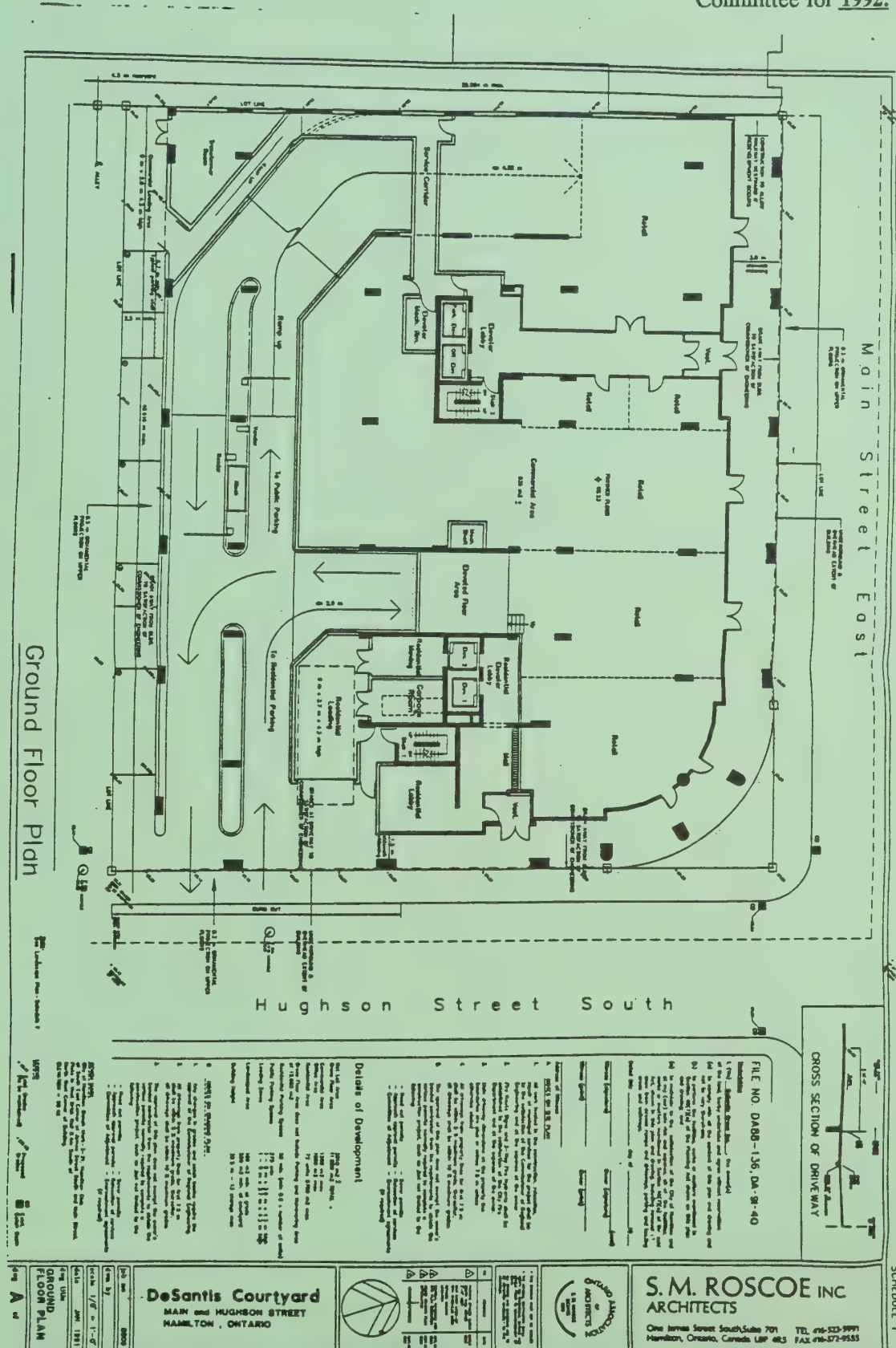


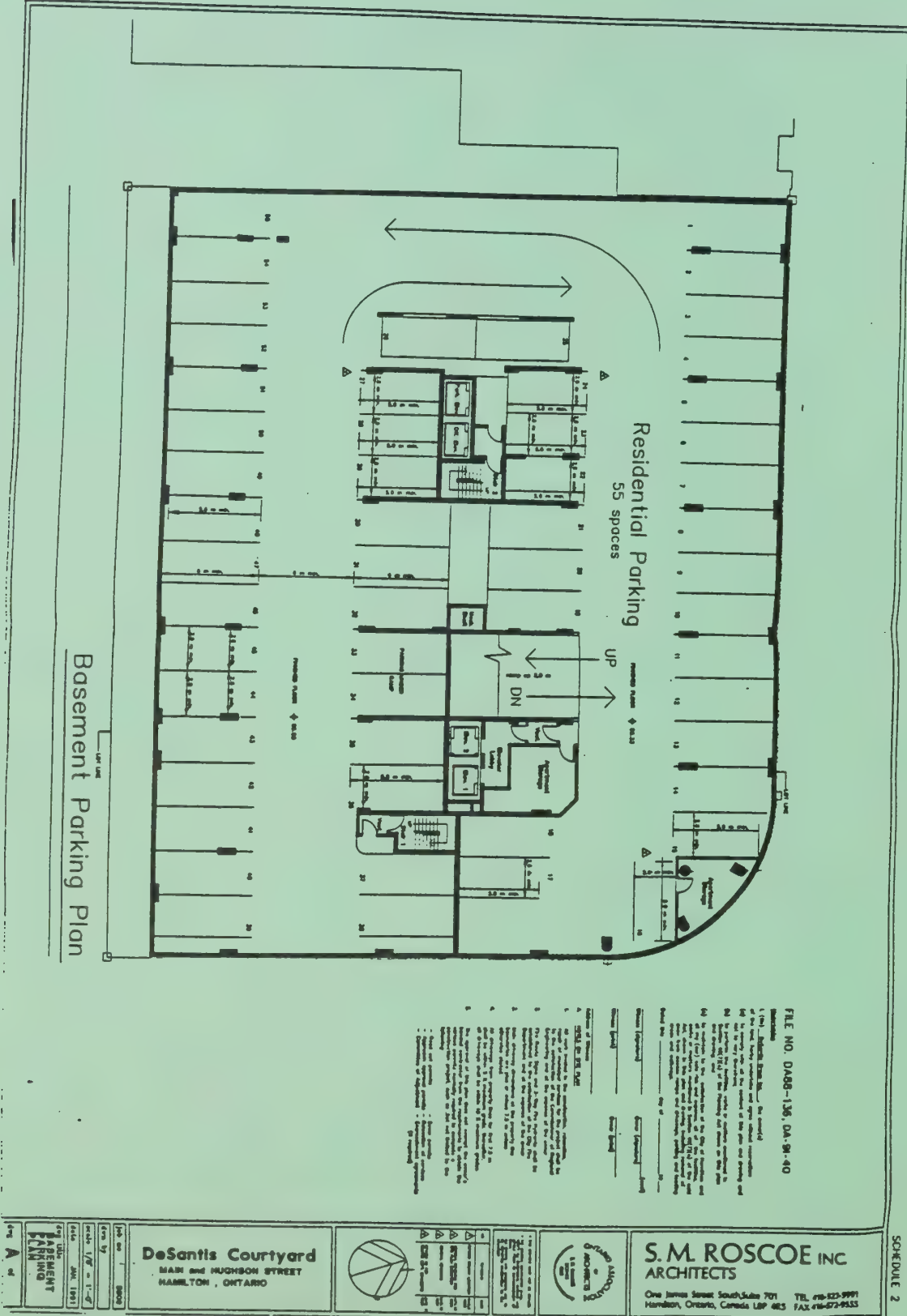
THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Bruce Hope	Street Sweeper/ Flusher Operator	Public Works	Retired	9 years	30/04/92
Mr. Andy Sloggett	Gardener II	Public Works	Terminated	14 years, 3 months	16/04/92

Prepared 13/05/92







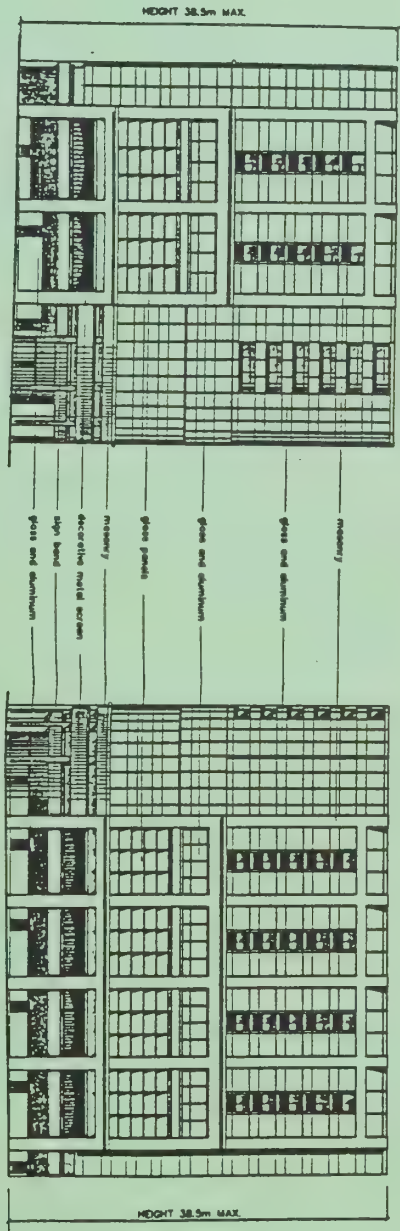




June 1964

One James Street South, Suite 701 TEL 416-593-9991  
Hamilton, Ontario, Canada L8P 4R5 FAX 416-577-9335

FILE NO. DAB8-136, PA-94-49  
 (1st) - 2nd Floor Plan - see notes  
 1. The building is a three-story structure with a total height of 38.5m. The building is located at the intersection of Main Street and Hughson Street. The building is a three-story structure with a total height of 38.5m. The building is located at the intersection of Main Street and Hughson Street.  
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Hughson Street Facade

Main Street Facade

# Elevations

Scale: 1/8"=1'-0"



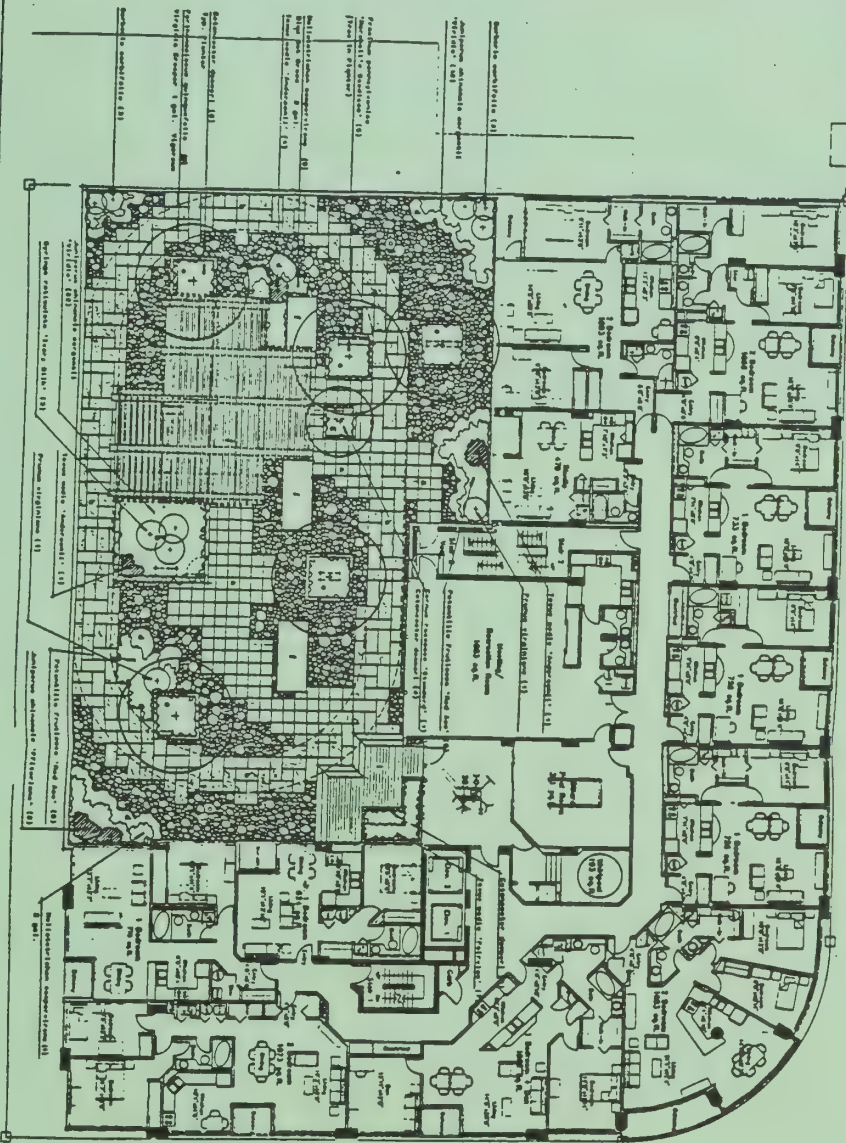
**S.M. ROSCOE INC.**  
 ARCHITECTS  
 One Jarvis Street, Suite 701 TEL: 416-533-9991  
 Hamilton, Ontario, Canada L8P 4K3 FAX: 416-572-9533

**DeSantis Courtyard**  
 300 and HUGHSON STREET  
 HAMILTON, ONTARIO

Job no. 0000  
 Date by R.L.  
 Scale 1/8"=1'-0"  
 Date 10/01/90  
 Proj title  
 ELEVATIONS  
 Page A of 1



SCHEDULE /  
FILE NO. DAAG-136 DA-91-40

[illegible]

**THE UNIVERSITY OF CHICAGO**

**PUBLISHED BY THE PRESS OF THE UNIVERSITY OF CHICAGO**

**CHICAGO ILLINOIS U.S.A.**

[illegible][illegible]

**LANDSCAPE PLANT**



1. **Identify and/or proposed key objectives to**  
 2. **test and/or measure**  
 3. **prediction of how this (or several) working-**  
 4. **knowledge model will be used to understand or**  
 5. **improve an existing system or process**  
 6. **being built or revised and then to make decisions**  
 7. **about future system**

17





**BILLS**

**CITY COUNCIL**

**1992 May 26**

URBAN MUNICIPAL  
MAY 26 1992  
GOVERNMENT DOCUMENTS



The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Designate:

**AS A HERITAGE CONSERVATION DISTRICT THE AREA COMPRISED OF  
ST. CLAIR BOULEVARD (BETWEEN DELAWARE AVENUE AND CUMBERLAND AVENUE)**

**WHEREAS** subsections 1 and 3 of section 41 of the Ontario  
Heritage Act, R.S.O. 1990, Chapter O.18, provides as follows:

41. (1) Subject to subsection (2), where there is in effect in a municipality an official plan that contains provisions relating to the establishment of heritage conservation districts, the council of the municipality may by by-law designate the municipality or any defined area or areas thereof as a heritage conservation district.

(3) A by-law passed under subsection (1) does not come into force without the approval of the Board.

**AND WHEREAS** the Official Plan of the City of Hamilton contains provisions relating to the establishment of heritage conservation districts;

**AND WHEREAS** it is intended to designate the area defined by the said by-law.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

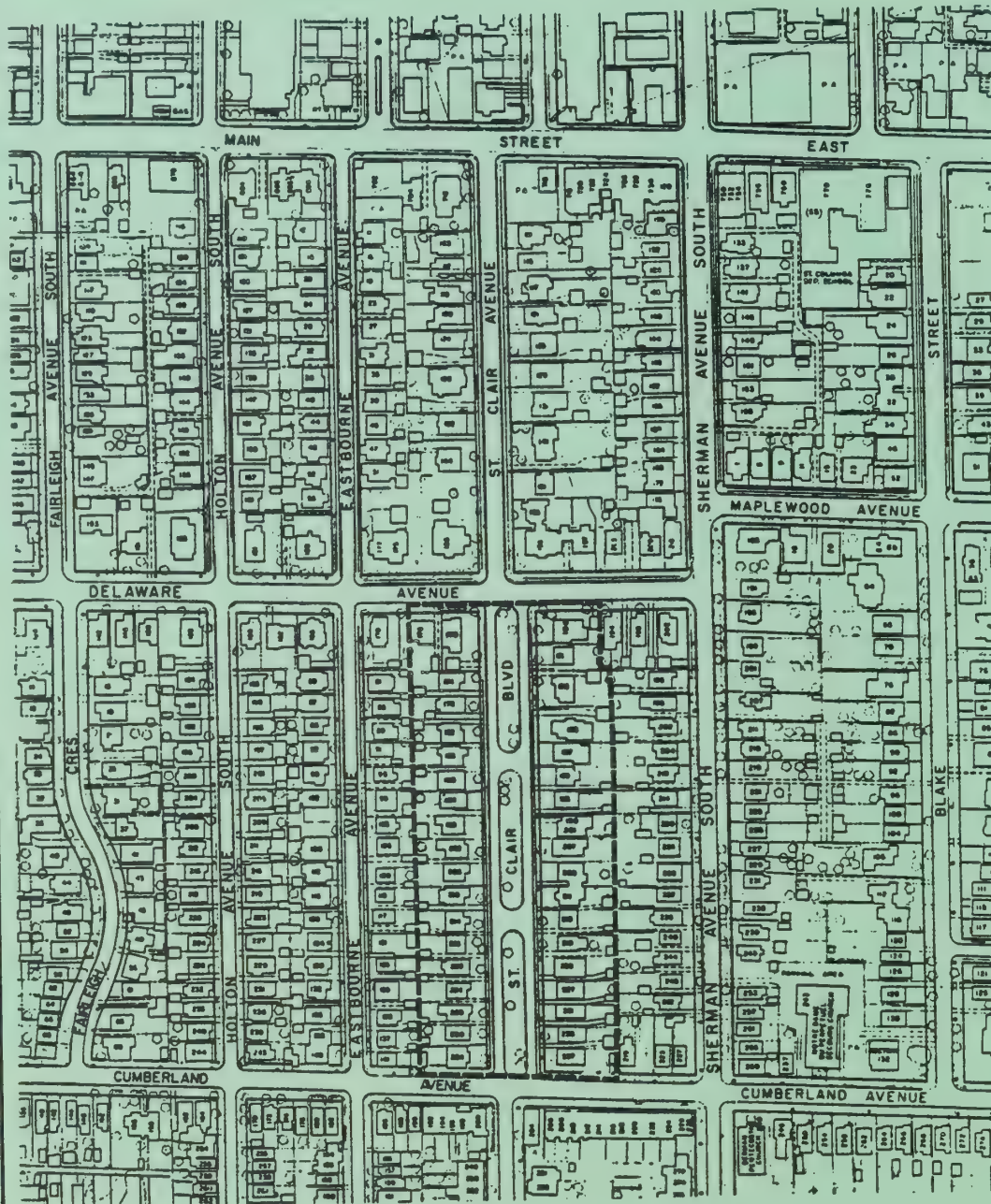
1. The area more particularly shown on Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as a Heritage Conservation District.

**PASSED** this                      day of                      A.D. 1992.

City Clerk

Mayor





This is Schedule "A" to By-Law No. 92-.....  
 Passed the ..... day of ....., 1992.

.....  
 Clerk

.....  
 Mayor

City of Hamilton

## Schedule A

Map Forming Part of  
 By-Law No. 92-.....

Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

### Legend



Lands subject to  
 By-Law No. 92-.....

North



Scale  
 NOT TO SCALE

Date  
 MAY, 1992

Reference File No.  
 H.C.D.-St.ClairBoulevard

Drawn By  
 E.C.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 322-330 CHARLTON AVENUE WEST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-13 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District to "E-2" (Multiple Dwellings) District,

the land comprised in Block 1, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "E-2" (Multiple Dwellings) District provisions, as contained in Section 11B of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 11B(2)(ii) of By-law No. 6593, no building or structure shall exceed four storeys or 14.0 m in height;
- (b) notwithstanding Section 11B(5) of By-law No. 6593, no building or structure shall exceed a maximum gross floor area of 2,206.0 m<sup>2</sup> and twenty-nine dwelling units;
- (c) Section 11B(3)(i)(b) of By-law No. 6593 shall not apply within 46.0 m of the easterly lot line of Block 2, however a front yard having a depth of not less than 4.3 m shall be provided and maintained for the remaining lot frontage;
- (d) Section 11B(3)(ii)(b) of By-law No. 6593 shall not apply to the easterly lot line;
- (e) notwithstanding Section 11B(6) of By-law No. 6593, a landscaped area of not less than 406.0 m<sup>2</sup> shall be provided and maintained on the lot;



- (f) notwithstanding Section 18A(1)(a) of By-law No. 6593, not less than twelve parking spaces shall be provided and maintained on the lot;
- (g) Section 18A(1)(c) of By-law No. 6593 shall not apply;
- (h) notwithstanding Section 18A(7) of By-law No. 6593, a 1.0 m portion of the required 6.0 m parking space length may be raised;
- (i) Section 18A(11)(a) of By-law No. 6593 shall not apply to the westerly lot line;
- (j) Section 18A(25) of By-law No. 6593 shall not apply.

3. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to Block 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

- (a) Section 14(3) of By-law No. 6593 shall not apply to the existing church only.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-2" District and "H" District provisions, subject to the special requirements referred to in sections 2 and 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1269.

6. Sheet No. W-13 of the District Maps is amended by marking the lands referred to in sections 1 and 3 of this by-law, S-1269.

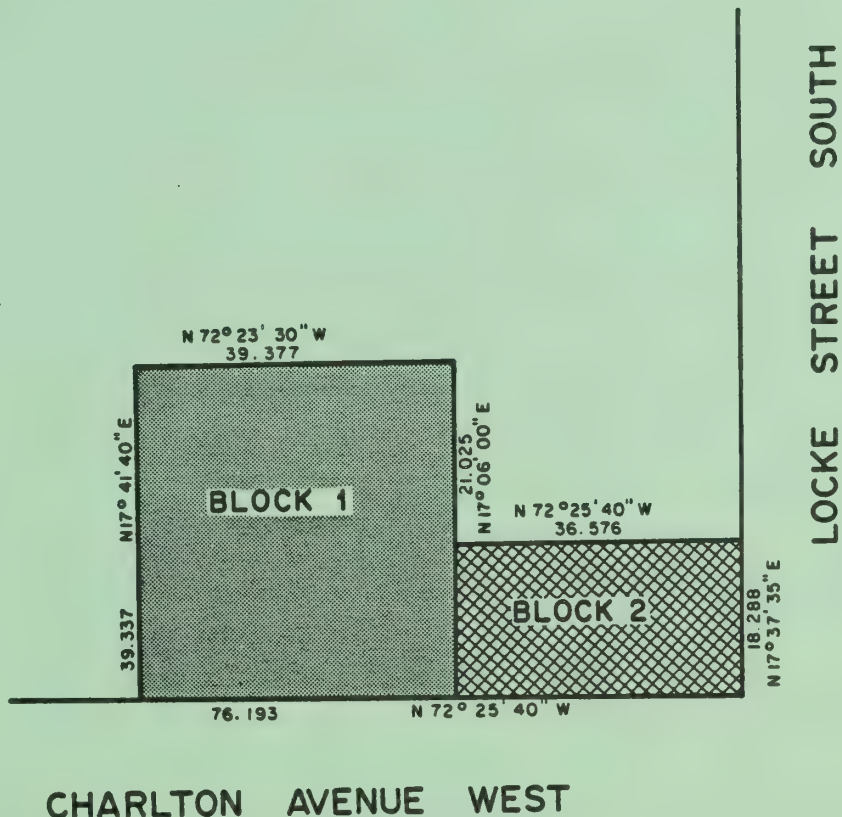
7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor

(1992) 8 R.P.D.C. 1, April 28  
Artaban Non-Profit Homes Inc.,  
Prospective Owner  
2A-91-78



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-.....  
Passed the ..... day of ....., 1992.

.....  
Clerk

.....  
Mayor

City of Hamilton

**Schedule A**

Map Forming Part of  
By-Law No. 92-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**

**BLOCK 1**

Change in zoning from "D" (Urban Protected Residential- One and Two-Family Dwellings, Townhouses, etc.) District to "E-2" (Multiple Dwellings ) District, Modified

**BLOCK 2**

Modification to the "H" (Community Shopping and Commercial, etc.) District.

North



Scale  
NOT TO SCALE

Date  
APRIL, 1992

Reference File No.  
ZA 91-78

Drawn By  
L.B.



The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

**LAND LOCATED AT MUNICIPAL NO. 1158 UPPER WENTWORTH STREET**

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District, the land comprised in Block 1; and
- (b) by changing from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The "RT-20" (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to the lands referred to in section 1(b) are amended to the extent only of the special requirements that,

- (a) a visual barrier of not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the westerly limit of the District;
- (b) vehicular access shall be from Upper Wentworth Street only, and shall be located at the extreme southerly lot line.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-20" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1271.

5. Sheet No. E-18B of the District Maps is amended by marking the lands referred to in section 1(b) of this by-law, S-1271.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

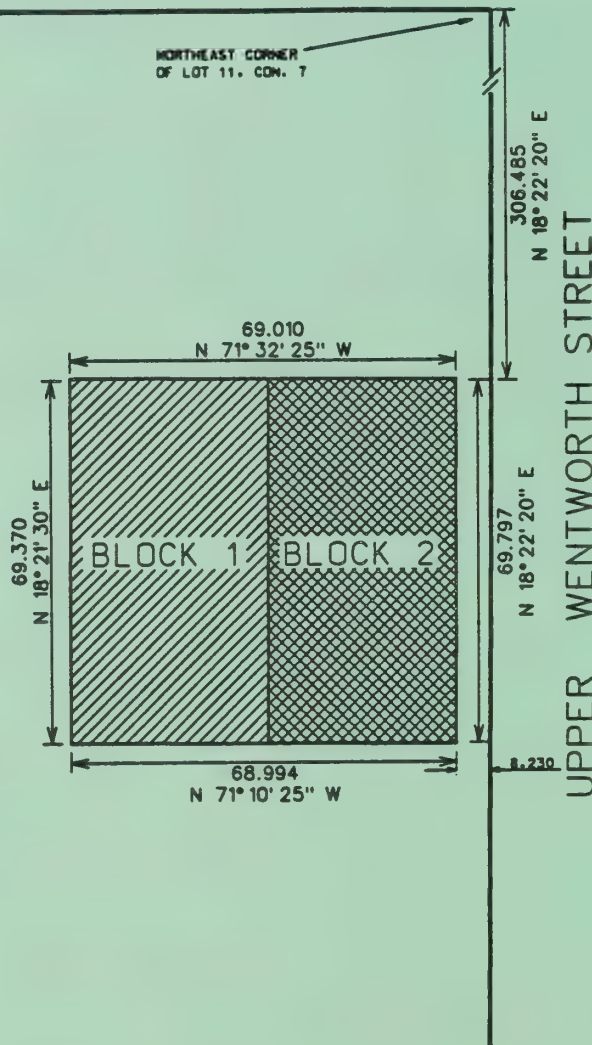
PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor

(1992) 8 R.P.D.C. 11, April 28  
Tyka Investments Limited, Owner  
Amended ZA-91-87

# LIMERIDGE ROAD EAST



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-\_\_\_\_  
Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

**City of Hamilton**  
**Schedule A**  
Map Forming Part of  
By-Law No. 92-\_\_\_\_  
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend  
Change in zoning from:



"AA" (Agricultural) District to  
"R-4" (Small Lot Single-Family Detached) District.



"AA" (Agricultural) District to  
"RT-20" (Townhouse-Maisonette) District, modified.

North



Scale  
NOT TO SCALE

Date  
APRIL, 1992

Reference File No.  
ZA-91-87

Drawn By  
H.V.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

By-law No. 84-252

Respecting:

CONVEYANCE OF LAND FOR PARK PURPOSES

WHEREAS By-law 84-252 passed on the 27th day of November, 1984 under Section 41 of the Planning Act, 1983 [now Section 42 of the Planning Act, R.S.O. 1990, Chapter P.13] requires the conveyance of land for park purposes or money to the value of the land as a condition of development or redevelopment;

AND WHEREAS Council in adopting Item 8 of the 10th Report of the Planning and Development Committee on May 26, 1992, authorized this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law 84-252 is amended by adding the following section:

7. Sections 2 and 3 shall not apply to land that is developed or redeveloped,
- (i) for residential purposes; and
  - (ii) used for a non-profit, not-for-gain, purpose; and
  - (iii) for which people are lodged or housed without remuneration.

PASSED this                      day of                      , A.D. 1992.

City Clerk

Mayor

(1992) 10 R.P.D.C. 8, May 26



The Corporation of the City of Hamilton

**BY-LAW NO. 92-**

To Amend By-law 79-323 Respecting the Licensing of:

**RETAIL STORES SELLING TOBACCO, CIGARS OR CIGARETTES**

**WHEREAS** Paragraph 2 of Section 235 of the Municipal Act, R.S.O. 1990, c. M.45, provides that by-laws may be passed to licence and regulate keepers of stores and shops where tobacco, cigars or cigarettes are sold by retail, and for revoking such licenses;

**AND WHEREAS** Schedule 20 of The City of Hamilton Licensing Code, providing for the licensing of tobacconists, was inadvertently carried forward in the 1979 By-law consolidation, which schedule had been approved for repeal at the end of 1979;

**AND WHEREAS** it is considered desirable and expedient to replace the said Schedule 20 and to create regulations governing the keepers of stores and shops where tobacco, cigars or cigarettes are sold by retail and at which minors may seek to purchase those products;

**AND WHEREAS** the Minors' Protection Act of Ontario, The Tobacco Products Control Act, and The Tobacco Restraint Act of Canada prohibit and regulate the sale to and use of tobacco products by minors, and information on these controls at the point of sale would be helpful to retailers and beneficial to the health of minors who might otherwise seek to purchase tobacco;

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule 20, respecting tobacconists, of City of Hamilton By-law No. 79-323, is repealed and the following substituted therefor:

**SCHEDULE 20**

**RETAIL STORES SELLING TOBACCO, CIGARS OR CIGARETTES**

- 1.(1) Subject to subsection (3), the keeper of any store where tobacco, cigars or cigarettes are offered for sale by retail shall obtain and maintain in good standing a licence from the City under this schedule, authorizing the sale from the store of tobacco, cigars or cigarettes by retail.
- (2) No person shall sell tobacco, cigars or cigarettes by retail from any store, unless a license has first been obtained for that store under subsection (1).
- (3) Pursuant to the Municipal Act, R.S.O. 1990, c. M.45, section 216, the keeper of a hotel, within the meaning of that section, is exempt from this schedule.
- (4) Where a person being the owner and operator of a store, is the holder of a licence under this schedule as the keeper of such store, no employee of the store need obtain a separate licence.
- (5) The Licence Administrator may combine as one document the licence certificate and Form 1, to be posted as a sign in accordance with this schedule.

2. For the purposes of this schedule, the following definitions apply:

- (a) "keeper" shall mean a person responsible for the care and management of a store selling tobacco, cigars or cigarettes, and shall include the owner and operator of the store;
- (b) "licence holder" shall mean the keeper of a store who holds a current and valid licence under this schedule; and
- (c) "store" shall include any building, booth, or stall, or a portion thereof where goods are exposed for sale, and shall include a shop.

#### Regulations

3.(1) A licence holder under this schedule shall:

- (a) display in the store at all times a sign, as shown in Form 1 set out in Appendix "A" hereto annexed which appendix is included in and forms a part of this schedule, on or immediately next to each till or cash register where customers may purchase or pay for any tobacco, cigars or cigarettes;
- (b) display the sign required in paragraph (a), so that the contents are in plain view to customers approaching the till or cash register, and containing only the prescribed message, in English, and written in black characters on a white background;
- (c) require employees of the store to read the sign required in paragraph (a), prior to commencing work involving the sale of tobacco, cigars or cigarettes, and instruct employees to bring any removal or defacement of the required signs to the immediate attention of the licence holder;
- (d) replace with a new sign as required in paragraph (a), any sign which has been removed or destroyed, or where the prescribed message or part thereof has been defaced; and
- (e) use for the required signs the sign available from the City, or substitute a sign of equal or greater overall size and letter size and complying with the in all other respects with requirements of this schedule.

(2) Where any tobacco, cigars or cigarettes are dispensed from a vending machine in the store, the licence holder shall:

- (a) display a sign, in the form and content required in paragraphs (1)(a) and (1)(b), on top of or on the front of each machine so that the content is in plain view to customers operating the machine, and the licence holder shall otherwise comply with the requirements of subsection (1); and
- (b) locate each machine within the view of the licence holder or employee thereof, while at a till or cash register in the store, so that persons using the vending machine are in plain view and so the licence holder or employee of the store can verify the placement and existence of the signs required in paragraph (a).

(3) Nothing in this schedule shall prevent a licence holder or an employee of the store from refusing service to anyone seeking to purchase tobacco, cigars or cigarettes, or from posting a sign to that effect, in addition to the signs required by subsections (1) and (2).

(4) In addition to the signs required by subsections (1) and (2), the licence holder may display like signs in any language suitable for customers.



CAN ON HBL A05

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1992



J.J. SCHATZ  
CITY CLERK

**THE CORPORATION OF THE CITY OF HAMILTON**

OFFICE OF THE CITY CLERK  
71 MAIN STREET WEST  
HAMILTON, ONTARIO L8N 3T4

TEL: 546-2700  
FAX: 546-2095

**NOTICE OF SPECIAL MEETING**

**OF**

**CITY COUNCIL**

URBAN MUNICIPAL

JUN 3 1992

GOVERNMENT DOCUMENTS

**Tuesday, 1992 June 02**  
**(Immediately following the Regional Council Meeting)**  
**Council Chambers**

**J. J. Schatz**  
**City Clerk**

The purpose of the meeting is to deal with the attached resolution (Section 15 of the Fourth Report of the Finance and Administration Committee) respecting the Performance Excellence Programme which was reconsidered and tabled by City Council at its meeting on 1992 March 31.

to → A report from the Committee recently established by Regional Council respecting this matter is being distributed to the Members of City Council along with the agendas for the Regional Council Meeting.  
after p. 3/92

att.

c.c. J. Pavelka, Acting Chief Administrative Officer  
Department Heads





- "15. (a) That the corporate policies for the Performance Excellence Programme outlined in Appendix "A" of the Joint Report of Mr. J. Pavelka, City's Acting Chief Administrative Officer and Mr. W.M. Carson, Region's Chief Administrative Officer, dated 1992 January 14, copies of which have been previously distributed to all members of City Council under separate cover, be approved.
- (b) That the Performance Excellence Programme Status Report, as outlined in Appendix "B" of the Joint Report of the two Chief Administrative Officers, dated 1992 January 14, copies of which have been previously distributed to all members of City Council under separate cover, be received as information.
- (c) That the procedures defining implementation of policies, as outlined in Appendix "C" of the Joint Report of the two Chief Administrative Officers, dated 1992 January 14, copies of which have been previously distributed to all members of City Council under separate cover, be received as information."



J.J. SCHATZ  
CITY CLERK



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OFFICE OF THE CITY CLERK  
71 MAIN STREET WEST  
HAMILTON, ONTARIO L8N 3T4

TEL: 546-2700  
FAX: 546-2095

**NOTICE OF SPECIAL MEETING**

**OF**

**CITY COUNCIL**

**Tuesday, 1992 June 02**

**(Immediately following the Regional Council Meeting)  
Council Chambers**

A handwritten signature in black ink, appearing to read 'J. J. Schatz'.

**J. J. Schatz  
City Clerk**

The purpose of the meeting is to deal with the attached resolution (Section 15 of the Fourth Report of the Finance and Administration Committee) respecting the Performance Excellence Programme which was reconsidered and tabled by City Council at its meeting on 1992 March 31.

A report from the Committee recently established by Regional Council respecting this matter is being distributed to the Members of City Council along with the agendas for the Regional Council Meeting.

att.

c.c. J. Pavelka, Acting Chief Administrative Officer  
Department Heads





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**REPORT OF THE  
COUNCIL COMMITTEE ON PERFORMANCE EXCELLENCE**

**DATE:** 1992 May 29

**FROM:** Councillor Don Ross  
Chairman, Council Committee on Performance Excellence

**TO:** All Members of Region and City Councils

Along with Aldermen Copps, Drury, Wilson, and Councillor Shaw, I met with representatives of the Civic and Regional Unions, on April 15, April 22, and May 14. In addition, at the request of the Unions a joint meeting of the Finance and Administration Committee and the Administrative Services Committee was held on May 4.

It is recommended to members of Council that the following amendments be made to the Attendance Management Procedures developed by the Performance Excellence Program.

**RECOMMENDATIONS**

1. That the procedure with respect to the claims form be amended to state that:
  - (a) doctors certificates required on the third (3) day of absence as per the current practice will continue to be accepted by the Employer, subject to the employee ensuring that appropriate information with respect to the general nature of the illness and the date of the employee's return to work are contained in the document.
  - (b) the claims form as documented within the procedures will be required on the fifteenth (15) consecutive working day of absence and on every subsequent fifteenth (15) consecutive working day of absence in the manner prescribed within the procedure.
2. That the interview procedures be amended to formalize the two feedback interviews now existing within the procedures as interview levels similar to the process outlined in the Transvision procedures. As in Transvision, these steps will only be applicable where an employee has demonstrated improvement in attendance. This increases the number of steps within the Attendance Management System to seven (7) from the current five (5).
3. That the terminology within the procedures with respect to "termination" be amended to reflect the Employer's position that this action would only be taken:





- (a) where every reasonable effort has been made to accomodate the employee within the workplace
  - (b) where the Employer has fulfilled their obligations under the Worker's Compensation Act and the Ontario Human Right's Code Act
  - (c) where there is no improvement in the employee's attendance
  - (d) where the employee has reached the final level of the AMS procedures
4. That the Council, through its committees, receive an annual report on the status of program implementation.

### BACKGROUND

We approached these meetings with the intent to listen to the concerns put forward by the Unions and resolve the outstanding differences with the policy and procedures developed by the Performance Excellence Program. We found ourselves at the conclusion of the process having made no progress toward resolution. The Union position throughout the discussions was consistent; namely that:

- (a) the attendance issue has been unfairly presented
- (b) they should be allowed the opportunity to try and resolve it themselves
- (c) it was a collective bargaining matter and should be left to the next round of negotiations in 1993/1994
- (d) they were not prepared to discuss change, their position remained that the entire program should be withdrawn

There were differences of opinion within the Union Locals represented at the sessions on whether an attendance problem existed. Several attempts were made to create starting points for discussion with no success. At the conclusion of the series of joint meetings the Committee and staff met to review areas of concern. This was made more difficult due to the Union's position that they wanted Peformance Excellence withdrawn and their failure to provide us with significant details on changes that would make it more acceptable to them. Notwithstanding, the Committee felt an obligation to proceed with those changes which we felt were appropriate.

An additional change we considered is that the Employer accept responsibility for payment for the filling out of claims forms by the Employee's physician, to a maximum of \$20.00. Staff estimated our maximum liability in this area to be in excess of approximately \$100,000.00 excluding the cost of administering the payment system.



Under separate headings below we have outlined some of the issues which the Committee dealt with and the rationale behind the recommendations to assist members of Council in their deliberations.

### DOCTOR'S CERTIFICATES

It was clear early in the discussions that the question of doctor's certificates is an administrative matter. It was clouded by two external issues, pressure on the health care system from employers requiring doctor's certificates, and doctor's charging patients for completing employer forms. The unions contended that the claims form would be an undue expense and an invasion of privacy. The administration, supported by legal counsel, made the point that the claims form does not require detailed medical information but rather reflects the employer's right to general information with respect to the employee's illness or injury, a prognosis on when the employee could return to work, and any restrictions which the physician might place on the employee fully and safely performing the functions of their job.

We believe that the recommendation we have made is practical and fair.

### NUMBER OF STEPS IN THE PROCESS

It was brought to our attention that the number of interview steps in the Attendance Management System differ from those in the Transvision Attendance Program. However this difference is only in the manner in which the programs are described; the process for both programs is similar and would take place over approximately the same period of time. We believe it is important that everyone not only be treated fairly but that they believe that they are being treated fairly. Therefore we have recommended that the interview steps be amended from five (5) to seven (7).

### LEAVE THE ISSUE FOR COLLECTIVE BARGAINING

The Unions contend that this entire policy should be the subject of collective bargaining. Human Resources and the Legal Department believe that this matter is entirely within management's rights under the collective agreement and is not a matter for collective bargaining. Management representatives had offered on several occasions to place the entire policy before an arbitrator for resolution of the issue but this was not pursued by the Unions. This is an issue which is not within our ability to resolve. The Unions have indicated to us that they will grieve every application of the policy.

### TERMINATION

This has been the most contentious and misunderstood part of the Attendance Management System. As Members of Council it is not our intention to allow employees to be arbitrarily terminated. Various "case study" documents which have been circulated, allegedly





protraying the employers intentions, have raised fears amongst our employees. They are wrong.

We on the committee have gained a clearer understanding of the obligation that we have as an employer to go the last mile in assisting employees who suffer from illness or injuries and the responsibilities we have in the area of work accomodation. Ensuring that everyone is treated fairly and consistently requires a structure which is what Performance Excellence is all about. There are three areas of legislation which prevent any arbitrary action on our part and each has tribunals which will review our actions to ensure that we have acted fairly and not in an arbitrary manner. They are:

- (a) **LABOUR RELATIONS ACT:** there is a large body of collective agreement jurisprudence on innocent absenteeism which lays out a series of tests which an employer must meet to uphold the termination of an employee for innocent absenteeism. They are that every employee must have been treated consistently, that there must be a medical prognosis that the employee cannot reasonably attend at work on a regular basis in the future, and that the employer has made every reasonable effort to accomodate the employee's illness or injury. Should an Employer not meet these tests the Union would likely succeed with a grievance brought forward under their collective agreement. The issue would be resolved by a third party Arbitrator.
- (b) **WORKER'S COMPENSATION ACT:** the Worker's Compensation Act places stringent obligations on the Employer to accomodate employees who are injured and provides the employees with guarantees with respect to their employment. Employer policy does not override the Act and the Board has a series of hearing bodies which would adjudicate challenges by the employee of the Employers actions.
- (c) **THE ONTARIO HUMAN RIGHTS CODE ACT:** the single most powerful piece of legislation in the Province of Ontario, the Human Rights Code Act supercedes company policies, collective agreements, and all other provincial legislation. It contains clear and strong guarantees of the rights of disabled persons and provides strong direction in the area of work accomodation. Employees wishing to challenge an Employers actions can bring a complaint before the Ontario Human Rights Commission.

There is also a legal obligation on our employees that they make every reasonable effort to attend at work. The only circumstance in which an employee would be terminated is when we had met all of our legal obligations as outlined above and where the employee was unable to meet theirs.



We have an obligation to be up front with our employees and inform them that if the circumstances outlined above should occur they face termination. Employee eligibility for either Long Term Disability or Worker's Compensation is a separate issue from their employment.

Our experience with implementation of Transvision, in its first two years of operation, is that no terminations have resulted. A number of employees have reached the higher levels of the system and have either been accomodated or their attendance has improved.

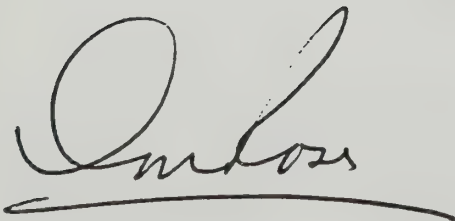
### CORPORATE HEALTH

The Unions have raised two main issues around the Corporate Health function. The first is the role of the corporate physician. It should be clearly stated that an employee's interaction with the corporate physician is a voluntary matter. The corporate physician is there to assist both the employee and the corporation in understanding the employees injury or illness and making sure, in consultation with the employee's own physician, that the appropriate steps are taken to address the medical issues so that the employee is given every opportunity to adequately and safely perform their job functions.

The second issue is that of confidentiality. The medical profession has a clearly stated set of rules and ethical practices with regard to confidentiality. Any corporate physician, including ours, is bound by those rules and practices. It is not the intent of either the City nor the Region to ask a physician in our employ to breach those rules.

### ANNUAL REPORT ON THE IMPLEMENTATION OF PERFORMANCE EXCELLENCE

Improvement of employee attendance requires a long term strategy. Visible results will take 24 to 36 months with significant change being as long as 48 to 60 months away. It is important on a strategic project such as this, with the potential employee implications, that Council be informed on a continuing basis so that they can make the necessary decisions with respect to its effectiveness.



---

D. Ross, Chairman





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A31  
1992



*The Urban/Municipal Collection  
2nd Floor  
Hamilton Public Library*

J.J. SCHATZ  
CITY CLERK

**THE CORPORATION OF THE CITY OF HAMILTON**

OFFICE OF THE CITY CLERK  
71 MAIN STREET WEST  
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TEL: 546-2700  
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**MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1992 June 30  
7:30 o'clock p.m.  
Council Chambers, City Hall**

**AGENDA**

URBAN MUNICIPAL

JUN 30 1992

GOVERNMENT DOCUMENTS

**1. Opening Prayer**

Reverend Gilbert Holloway  
Parkdale Gospel Temple

**2. Presentations**

- (a) Certificates of Recognition for Citizen members who served on various City Committees, Boards and Commissions
- (b) City of Hamilton Safety Quiz Awards

**3. Minutes**

- (a) 1992 May 26
- (b) 1992 June 2 (Special Meeting)

**4. Petitions and Correspondence**



**5. Reports of the Standing Committees**

- (a) Transport and Environment Committee
- (b) Parks and Recreation Committee
- (c) Planning and Development Committee
- (h) Finance and Administration Committee

**6. Notices of Motion for Next Meeting**

**7. First Reading of the Bills**

**8. Second Reading of the Bills - Committee of the Whole**

**9. Third Reading of the Bills**

**10. Question Period**

**11. Adjournment**





**M I N U T E S**



1992 May 26

Hamilton City Council  
1992 May 26  
7:30 o'clock p.m.  
Council Chamber, City Hall

The Council met.

Present: Mayor Robert M. Morrow

Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson,  
Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Rabbi Irwin Zeplowitz, Temple Anshe Sholom led Council in prayer.

\* \* \* \* \*

Dr. M. Keyes announced the 1992 Inductees for the Hamilton Gallery of Distinction.

\* \* \* \* \*

Mayor R. M. Morrow presented Certificates of Recognition for Citizen Services on City  
Committees, Boards and Commissions to several former citizen members.

\* \* \* \* \*

Mayor R. M. Morrow proclaimed the following:

"Hamilton-Wentworth Access Awareness Week - 1992 May 31 to June 5"

"Fit Day - 1992 May 27"

"Bike to Work Week - 1992 May 22 to 31"

"Keep Medicare Health Week - Hamilton and District Labour Council - 1992 May 24 to 30"

"Amyotrophic Lateral Sclerosis (ALS) - Lou Gehrig's Disease - 1992 June 6"

\* \* \* \* \*



The minutes of the meeting held 1992 May 12 were adopted.

\* \* \* \* \*

**Section 8 of the Ninth Report of the Planning and Development Committee for 1992 Re: Zoning Application 92-05 - James and Felicia Capuccinello Iraci - 50 Christopher Drive.**

Pursuant to Section 5(3) of the Municipal Conflict of Interest Act Alderman F. D'Amico declared an interest in section 8 of the Ninth Report of the Planning and Development Committee adopted by City Council on May 12, 1992 because he owns property in the immediate area. Alderman D'Amico was not present at the May 12, 1992 City Council Meeting.

\* \* \* \* \*

**Petitions\Correspondence:**

1. Petition dated 1992 May 19 received by the Acting City Clerk respecting a change facility at the small training pool adjacent to Chedoke Public School on West 25th Street and Leslie Avenue. ("Sample" page previously distributed).

**Received.**

2. Application dated 1992 May 8 from Anwar Zurar, Hamilton, Ontario for a change in zoning from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District for 855 Upper Horning Road, Hamilton, Ontario.

**Received.**

3. Application dated 1992 May 11 from Jung Y. Mah, Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District modified for 674 Upper James Street, Hamilton, Ontario.

**Received.**

4. Letter dated 1992 May 25 from Local 5 of the Canadian Union of Public Employees to Mayor Morrow along with a 45 page petition respecting the Dundurn Castle Aviary.

**Received.**

5. Letter dated 1992 May 7 from Dr. Richard Allan, Jobs Ontario Training Fund with respect to the launch of Jobs Ontario Training Fund.

**Received.**

6. Memorandum dated 1992 May 25 from J. J. Schatz, City Clerk to the Members of City Council respecting the Chairmanship of City Council Committee of the Whole.

It was moved by Alderman Agro and seconded by Alderman Ross that the Chairmanship of the Committee of the Whole be reviewed by the Finance and Administration Committee at its next regular meeting and that the next Chairman of City Council Committee of the Whole be selected at that time.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be now considered in Committee of the Whole.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**PARKS AND RECREATION COMMITTEE - ELEVENTH REPORT**

**Section 3 Re: Selling of Beer and Alcoholic Beverages - Hostess Frito-Lay Company - Slo-Pitch Tournament - Globe Park**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, Ross, D'Amico. -16.

NAYS: Alderman Jackson. -1.

**CARRIED.**

\* \* \* \* \*

**Section 12 Re: Dundurn Castle Aviary**

Recorded vote.

YEAS: Aldermen Cooke, McCulloch, Morelli, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. - 10.

NAYS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Copps, Wilson, Agostino. - 7.

**CARRIED.**

\* \* \* \* \*

**Section 22 Re: Tiger Cat Agreement**

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. - 14.

NAYS: Mayor Morrow, Aldermen Agro, McCulloch. -3.

**CARRIED.**

**PARKS AND RECREATION COMMITTEE - TWELFTH REPORT**

**PLANNING AND DEVELOPMENT COMMITTEE - TENTH REPORT**

**FINANCE AND ADMINISTRATION COMMITTEE - THIRTEENTH REPORT**

**Section 2 Re: Vehicle repairs - Fire Department**

It was moved by Alderman Wilson and seconded by Alderman Copps that section 2 of the Thirteenth Report of the Finance and Administration Committee be referred back. **LOST.**

Recorded vote on section 2

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Eisenberger, Jackson, Merling, Anderson, Ross, D'Amico. -11.

**NAYS:** Aldermen Copps, Wilson. - 2. **CARRIED.**  
\* \* \* \* \*

**Section 3 Re: Vehicle repairs - Fire Department**

It was moved by Alderman Wilson and seconded by Alderman Copps that section 3 of the Thirteenth Report of the Finance and Administration Committee be referred back. **LOST.**

Recorded vote on section 3.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Eisenberger, Jackson, Merling, Anderson, Ross, D'Amico. -11.

**NAYS:** Aldermen Copps, Wilson. - 2. **CARRIED.**



1992 May 26

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that Alderman T. Jackson be appointed as Acting Mayor for the month of June, 1992. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that the Reports of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Copps, Wilson, Eisenberger, Jackson, Merling, Anderson, D'Amico. -12.

NAYS: -0. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that the following Bills be now read a first time:

C-56, C-57, C-58, C-59.

H-40, H-41.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Merling, Anderson, Ross, D'Amico. -13.

NAYS: -0. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that Council move into Committee of the Whole to consider the following Bills, with Alderman Cooke in the chair. (second reading).

\* \* \* \* \*

**Consideration of the Bills (second reading).**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Merling, Anderson, Ross, D'Amico. -13.

NAYS: -0. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that the Report of the Committee of the Whole on the following Bills, be adopted. -

C-56, C-57, C-58, C-59.

H-40, H-41.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Merling, Anderson, Ross, D'Amico. -13.

NAYS: -0. **CARRIED.**

\* \* \* \* \*

1992 May 26

It was moved by Alderman Kiss and seconded by Alderman Agro that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

C-56, C-57, C-58, C-59.

H-40, H-41.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Merling, Anderson, Ross, D'Amico. -13.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

City Council then adjourned at 8:55 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

---

Mayor R. M. Morrow

J. J. Schatz  
City Clerk

1992 June 2

Special Meeting of Hamilton City Council  
1992 June 2  
9:35 o'clock p.m.  
Council Chamber, City Hall

The Council met:

Present: Mayor Robert M. Morrow

Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson,  
Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman D'Amico that Section 15 of the Fourth Report of the Finance and Administration Committee be now considered in Committee of the Whole.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli,  
Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson,  
D'Amico, Ross. -17.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*



It was moved by Alderman Ross and seconded by Alderman D'Amico

That Section 15 of the FOURTH Report of the Finance and Administration Committee respecting the Performance Excellence Programme, which was adopted by City Council on 1992 January 28 and subsequently reconsidered and tabled by City Council at its meeting on 1992 March 31, and again on 1992 May 12, reading as follows:

- "15. (a) That the corporation policies for the Performance Excellence Programme outlined in Appendix "A" of the Joint Report of Mr. J. Pavelka, City's Acting Chief Administrative Officer and Mr. W. M. Carson, Region's Chief Administrative Officer, dated 1992 January 14, copies of which have been previously distributed to all members of City Council under separate cover, be approved.
- (b) That the Performance Excellence Programme Status Report, as outlined in Appendix "B" of the Joint Report of the two Chief Administrative Officers, dated 1992 January 14, copies of which have been previously distributed to all members of City Council under separate cover, be received as information.
- (c) That the procedures defining implementation of policies, as outlined in Appendix "C" of the Joint Report of the two Chief Administrative Officers, dated 1992 January 14, copies of which have been previously distributed to all members of City Council under separate cover, be received as information.",

be now lifted from the table.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Ross and seconded by Alderman D'Amico:

That Appendix "C" respecting procedures defining implementation of policies for the Performance Excellence Programme, as referred to in Sub-section (c) of Section 15 of the Fourth Report of the Finance and Administration Committee, be amended to provide for the following:

- "1. That the procedure with respect to the claims form be amended to state that:
  - (a) doctors' certificates required on the third (3) day of absence as per the current practice will continue to be accepted by the Employer, subject to the employee ensuring that appropriate information with respect to the general nature of the illness and the date of the employee's return to work are contained in the document.
  - (b) the claims form as documented within the procedures will be required on the fifteenth (15) consecutive working day of absence and on every subsequent fifteenth (15) consecutive working day of absence in the manner prescribed within the procedure.
2. That the interview procedures be amended to formalize the two feedback interviews now existing within the procedures as interview levels similar to the process outlined in the Transvision procedures. As in Transvision, these steps will only be applicable where an employee has demonstrated improvement in attendance. This increases the number of steps within the Attendance Management System to seven (7) from the current five (5).
3. That the terminology within the procedures with respect to "termination" be amended to reflect the Employer's position that this action would only be taken:
  - (a) where every reasonable effort has been made to accommodate the employee within the workplace
  - (b) where the Employer has fulfilled its obligations under the Worker's Compensation Act and the Ontario Human Right's Code Act
  - (c) where there is no improvement in the employee's attendance

- (d) where the employee has reached the final level of the AMS procedures"

And that the following be added as Sub-section (d) of Section 15 of the Fourth Report of the Finance and Administration Committee:

- "(d) That the Council, through its committees, receive an annual report on the status of program implementation."

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Drury and seconded by Alderman Agostino that Appendix "C" be amended by adding the following to Section 1 of the Recommendations as Sub-section (c):

1. (c) That the Employer accept responsibility for payment for the filling out of claims forms by the Employee's physician, to a maximum of \$20.

**CARRIED.**

\* \* \* \* \*

Recorded vote on Section 15 as amended:

YEAS: Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -12.

NAYS: Mayor Morrow, Aldermen Kiss, Copps, Wilson, Merling. -5.

**CARRIED.**

\* \* \* \* \*

**CORRESPONDENCE**





Correspondence:

1. Letter dated 1992 June 4 from James Keenan, President, Local 5, Canadian Union of Public Employees requesting the establishment of a policy so that employees can be allowed a minimal amount of time off to pay respects.

**Recommendation:**                      **Be Referred to the Finance and Administration Committee**

2. Resolution dated 1992 June 12 from the City of Nepean respecting a fully enforced deposit based refillable/returnable system for beverage containers.

**Recommendation:**                      **Be Referred to the Transport and Environment Committee**

3. Application dated 1992 May 26 from 483466 Ontario Ltd., Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District for 829 Rymal Road East, Hamilton, Ontario.

**Recommendation:**                      **Be Received.**

4. Application dated 1992 May 27 from Alexander Stoller and Enzo Didiodate, Ancaster, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected, etc.) District for 255 Rymal Road East, Hamilton, Ontario.

**Recommendation:**                      **Be Received.**

5. Application dated 1992 June 17 from the Hamilton Society for the Prevention of Cruelty to Animals, Hamilton, Ontario for a change in zoning from "M-14" (Prestige Industrial) District to "M-13" (Prestige Industrial District modified for Block 1 and for a modification to the established "M-13" (Prestige Industrial District regulations for Block 2, for land located at Nos. 235-265 Dartnall Road.

**Recommendation:**                      **Be Received.**





Canadian Union of Public Employees - Syndicat Canadien

LOCAL FIVE

231 Bay Street North, Hamilton, Ont. L8R 2R1

1.

President  
James Keenan

Secretary  
Ed Thomas

June 4, 1992

Mr. J. Pavelka,  
Chief Administrative Officer,  
City of Hamilton,  
Hamilton, Ontario.

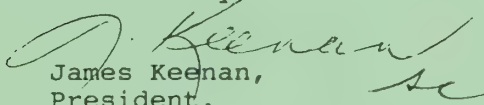
Dear Mr. Pavelka:

In response to your reply dated June 2, 1992 concerning Day of Mourning, April 28th, Request for Time Off, I must point out that this request is outside the confines of the Collective Agreement. Therefore it in no way infringes on our agreement with respect to the R.B.O.

I do not wish to enter into a paper chase on this issue and that is why I am asking a policy be adopted by the Members of Council so that employees from a cross section of the Corporation be allowed a minimal amount of time to pay their respects to workers who have lost their lives or who have been seriously injured in the performance of their duties.

This is not solely a union problem; this is a humanitarian gesture that should be granted by the Corporation. Based on the decision of the Joint Councils on June 2, 1992, I challenge them to follow through on their commitment of showing their employees dignity and respect.

Yours truly,

  
James Keenan,  
President.

JK:sc

cc: Mayor Morrow  
Regional Chairman Whynott  
Mr. J. Schatz, City Clerk  
Mr. R. Prowse, Regional Clerk

OFFICE OF THE CITY CLERK	
JUN 08 1992	
REC. BY <i>scf</i>	DATE <i>6/8</i>
REF'D. TO	DATE
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ACTION:	





CITY CLERK'S DEPT

2.

our reference

B11-00-RES

your reference

June 12, 1992

City Clerk  
City of Hamilton  
71 Main Street West  
Hamilton, Ontario  
L8N 3T4

RECEIVED  
JUN 22 1992  
CITY CLERK  
FOR C.C.

Dear Sir / Madam:

The attached resolution, passed by the Council of the City of Nepean at its regular meeting of May 28, 1992, is enclosed for your information and attention.

As you are aware the Ministry of the Environment and the Association of Municipalities of Ontario are working together to resolve the issue of refillable beverage containers. You are encouraged to endorse the position taken by the City of Nepean in its resolution.

Yours truly,

John LeMaistre  
City Clerk

cc: Hon. Ruth Grier  
Minister of the Environment

JL/mh

Att.

CORPORATION OF THE CITY OF NEPEAN

Nepean Civic Square  
101 Centrepoin Drive  
Nepean, Ontario  
K2G 5K7

Administration/Licencing 613-727-6610  
Enforcement 613-727-6614  
Fax 613-727-6613



THE CORPORATION OF THE CITY OF NEPEAN  
CITY COUNCIL RESOLUTION - MAY 28, 1992  
MOTION NO. 135-92

Moved by Shayna Shuster  
Seconded by Gord Hunter

WHEREAS the Public Works Committee and the Environmental Advisory Committee have considered an offer from the Ontario Soft Drink Association to pay to municipalities a "top up" subsidy to assist with the cost of operating blue box programs;

AND WHEREAS although the Association should be commended for recognizing their inherent responsibility for the soft drink container waste problem, Council is concerned that;

- ♦ the proposal is contradictory to the environmental aim of reducing waste and discourages the obvious reuse potential of containers produced by the beverage industry and;
- ♦ as an economic consideration, the proposed subsidy is insufficient, particularly in that it is conditional on the further expansion of the blue box program to include collection of plastic soft drink containers.

BE IT THEREFORE RESOLVED THAT:

- ♦ Council hereby rejects the Ontario Soft Drink Association offer and reaffirms its position that a fully enforced deposit based refillable/returnable system for beverage containers is desirable in Ontario;
- ♦ the Province of Ontario be encouraged to introduce immediate economic incentives, such as taxes, to discourage the use of non-refundable beverage containers and;

- ◆ the Ontario Ministry of Environment be encouraged to advance efforts to develop and implement a comprehensive approach to funding blue box and other municipal solid waste programs through other than municipal property taxes, recognizing the importance of the contribution of waste generators in the sharing of these costs.

- Carried -









1992 June 30

## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **SEVENTH** Report for 1992 and respectfully recommends:

1.    (a)    That the Lisgar Neighbourhood be designated as a Neighbourhood Watch Area; and  
      (b)    That Neighbourhood Watch Signs for the Lisgar Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and  
      (c)    That the necessary funds be charged to Account No. CH55301 75030 (Neighbourhood Watch Program).
2.    (a)    That the eastbound left turn movement from King Street West to Dalewood Crescent be prohibited; and  
      (b)    That the City Traffic By-law No. 89-72 be amended accordingly.
3.    (a)    That eastbound traffic on Webber Street be required to stop for northbound and southbound traffic on East Avenue South; and  
      (b)    That the City Traffic By-law No. 89-72 be amended accordingly.
4.    (a)    That northbound traffic on Gretna Court be required to stop for eastbound and westbound traffic on Cranbrook Drive; and  
      (b)    That the City Traffic By-law No. 89-72 be amended accordingly.

1992 June 30

5. (a) That three-way stop control be implemented at the intersection of Broughton Avenue and Ashridge Place; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
6. (a) That the westbound traffic in the north curb lane of Greenhill Avenue be required to turn right onto Mount Albion Road; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
7. That the City Traffic By-law No. 89-72 be amended to authorize the Director of Traffic Services to install temporary traffic signs and other traffic control devices to accommodate traffic demands during the construction or reconstruction of public highways, public utilities, or services located thereon.
8. (a) That three-way stop control be implemented at the intersections of Rexford Drive and Robson Crescent (east and west legs); and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
9. (a) That three-way stop control be implemented at the intersection of DiCenzo Drive and Trieste Place; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
10. That the Director of Traffic Services be authorized to assign School Crossing Guards on a temporary basis, subject to confirmation by the Transport and Environment Committee at the next regular meeting.
11. (a) That the existing hours of the School Crossing Guard at the intersection of Charlton Avenue East and Walnut Street be extended to include the lunch time school crossing periods; and  
(b) That the lunch time school crossing service be discontinued at the intersection of Aberdeen Avenue and Queen Street South.

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12.
  - (a) That a "Permit Parking" regulation be implemented on the west side of Elgin Street commencing at a point 51 feet south of Cannon Street and extending to a point 60 feet southerly therefrom; and
  - (b) That a "No Parking" regulation be implemented on the east side of Elgin Street commencing at Cannon Street and extending to a point 76 feet southerly therefrom; and
  - (c) That the Director of Traffic Services be authorized to issue upon request, one parking permit to the resident of No. 146 Cannon Street East and two parking permits to the resident of No. 57 Elgin Street; and
  - (d) That a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation be implemented in the parking bay on the west side of Elgin Street commencing at a point 28 feet north of Wilson Street and extending to a point 92 feet northerly therefrom; and
  - (e) That a "No Stopping" regulation be implemented on the west side of Elgin Street commencing at a point 120 feet north of Wilson Street and extending to the north end; and
  - (f) That the City Traffic By-law No. 89-72 be amended accordingly.
13.
  - (a) That in conjunction with the existing "Alternate Side Parking" regulation, a "One Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation be implemented on both sides of Tisdale Avenue South between Main Street and Erie Avenue; and
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
14.
  - (a) That the existing "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Orphir Road between Pottruff Road South and Gailmont Drive; be removed; and
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.



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15. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 8:00 p.m., Monday to Friday" regulation be implemented on the east side of Cathcart Street between Kelly Street and Cannon Street; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
16. (a) That the existing "No Parking, 9:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the east side of Undercliffe Avenue be removed from Aberdeen Avenue to a point 147 feet southerly therefrom; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
17. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Augusta Street between Catharine Street South and Walnut Street South; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
18. (a) That the existing "Permit Parking" regulation on the north side of Peter Street which commences at a point 294 feet west of Queen Street and extends to a point 62 feet westerly therefrom be shortened such that the regulation commences at a point 316 feet west of Queen Street and extends to a point 40 feet westerly therefrom; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
19. (a) That the existing "Alternate Side Parking" regulation on Fairview Avenue between Cannon Street East and King Street East be replaced with a "No Parking" regulation on the east side and unrestricted parking on the west side; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.

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20.
  - (a) That Young Street between John Street and Ferguson Avenue be removed from the through street system such that parking may occur overnight; and
  - (b) That a "No Parking, 8:00 a.m. to 12:00 noon, second Tuesday of each month, April to November" regulation be implemented on the south side of Young Street between John Street and Ferguson Avenue; and
  - (c) That a "No Parking, 8:00 a.m. to 12:00 noon, second Wednesday of each month April to November" regulation be implemented on the north side of Young Street from John Street to Ferguson Avenue; and
  - (d) That the City Traffic By-law No. 89-72 be amended accordingly.
21.
  - (a) That the two two-hour metered parking spaces on the south side of Haymarket Street, east of Hughson Street, be replaced with a parking prohibition commencing at Hughson Street and extending to a point 60 feet easterly therefrom; and
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
22.
  - (a) That the existing "Permit Parking" regulation on the east side of East 27th Street which commences 30 feet north of Mohawk Road and extends to a point 19 feet northerly therefrom, be removed; and
  - (b) That the existing "Permit Parking" regulation on the west side of East 27th Street which commences 31 feet north of Mohawk Road and extends to a point 20 feet northerly therefrom, be removed; and
  - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
23.
  - (a) That a "Permit Parking" regulation be implemented on the west side of Fullerton Avenue commencing at a point 133 feet south of Princess Street and extending to a point 20 feet southerly therefrom; and
  - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Isabell Dockstader, 63 Fullerton Avenue; and
  - (c) That the City Traffic By-law No. 89-72 be amended accordingly.

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24.
  - (a) That a "Permit Parking" regulation be implemented on the south side of Wood Street East commencing at a point 133 feet east of Ferguson Avenue and extending to a point 48 feet easterly therefrom; and
  - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Battram, 196 Wood Street East and Mr. Giuseppe, 198 Wood Street East; and
  - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
25.
  - (a) That a "Permit Parking" regulation be implemented on the south side of Somerset Avenue commencing at a point 165 feet west of Barnesdale Avenue North and extending to a point 25 feet westerly therefrom; and
  - (b) That the Director of Traffic Services be authorized to issue one parking permit to Ms. Aletha Greenly, 48 Somerset Avenue; and
  - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
26.
  - (a) That a "Permit Parking" regulation be implemented on the west side of Locke Street North commencing at the north end and extending to a point 30 feet southerly therefrom; and
  - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Jim Chatterton, 10 Tecumseh Street; and
  - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
27.
  - (a) That a "Permit Parking" regulation be implemented on the west side of Ferguson Avenue North commencing at a point 184 feet north of Ferrie Street East and extending to a point 27 feet northerly therefrom; and
  - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Beavers, No. 433 Ferguson Avenue North; and
  - (c) That the City Traffic By-law No. 89-72 be amended accordingly.

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28. (a) That the existing "Permit Parking" regulation on the north side of Nightingale Street commencing at a point 167 feet east of the east curb line of Steven Street and extending to a point 20 feet easterly therefrom be removed; and
- (b) That the existing "Permit Parking" regulation on the south side of Nightingale Street commencing at a point 172 feet east of the east curb line of Steven Street and extending to a point 20 feet easterly therefrom be removed; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.
29. (a) That a "Permit Parking" regulation be implemented on the north side of Clinton Street commencing at a point 161 feet east of Barnesdale Avenue North and extending to a point 22 feet easterly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Borman, No. 85 Clinton Street; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.
30. (a) That a "Permit Parking" regulation be implemented on the east side of Leeming Street commencing at a point 388 feet north of Cannon Street East and extending to a point 20 feet northerly therefrom; and
- (b) That a "Permit Parking" regulation be implemented on the west side of Leeming Street commencing at a point 418 feet north of Cannon Street East and extending to a point 19 feet northerly therefrom; and
- (c) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Ivan Rous, No. 39 Leeming Street; and
- (d) That the City Traffic By-law No. 89-72 be amended accordingly.
31. (a) That a "Permit Parking" regulation be implemented on the north side of Dunsmure Road commencing at a point 96 feet east of Park Row extending to a point 19 feet easterly therefrom; and



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- (b) That a "Permit Parking" regulation be implemented on the south side of Dunsmure Road commencing at a point 94 feet east of Park Row extending to a point 26 feet easterly therefrom;
  - (c) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Creighton, No. 509 Dunsmure Road; and
  - (d) That the City Traffic By-law No. 89-72 be amended accordingly.
32. (a) That a "Permit Parking" regulation be implemented on the west side of Greig Street commencing at a point 276 feet south of Barton Street and extending to a point 22 feet southerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. William Hertel, 26 Greig Street; and
  - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
33. (a) That the existing "No Stopping, Wheelchair Loading Only, 10:00 a.m. to 8:00 p.m., 7 days a week" regulation on the east side of East 22nd Street commencing at a point 321 feet north of Fennell Avenue and extending to a point 25 feet northerly therefrom be removed; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
34. (a) That a "No Stopping, Wheelchair Loading Only, 10:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the east side of Gibson Avenue commencing at a point 32 feet north of Wilson Street and extending to a point 25 feet northerly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

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35.
  - (a) That a "No Stopping" regulation be implemented on the north side of King William Street commencing at Tisdale Avenue North and extending to a point 80 feet westerly therefrom; and
  - (b) That a "No Stopping" regulation be implemented on the south side of King William Street commencing at Tisdale Avenue and extending to a point 70 feet easterly therefrom; and
  - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
36.
  - (a) That a "No Stopping" regulation be implemented on the north side of Herkimer Street commencing at a point 65 feet east of MacNab Street North and extending to a point 66 feet easterly therefrom; and
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
37.
  - (a) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Franklin Road commencing at a point 52 feet west of the west curb line of East 28th Street and extending to a point 88 feet westerly therefrom; and
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
38. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of S. Merlo-Orzel, agent for the City of Hamilton Culture and Recreation Department, to close Hunter Street West from James Street to Bay Street on Wednesday, 1992 May 27 from 6:00 p.m. to 8:00 p.m., for the City of Hamilton Fit Day Run and Roll, subject to the following conditions:
  - (a) That approval from Regional Police Services be received prior to consideration by City Council of an application for complete closure;
  - (b) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
  - (c) That all barricading be supplied by and at the expense of the applicant;

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- (d) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways, if deemed necessary by the Commissioner of Transportation/Environmental Services;
  - (e) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (f) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
39. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the request of Reverend W. K. Pottinger, agent for the Presbyterian Church in Canada (St. Paul's Presbyterian Church, 70 James Street South, Hamilton L8P 2Y8) to close Jackson Street West between James Street and MacNab Street, on Sunday, 1992 June 7 from 7:00 p.m. to 11:00 p.m. for an outdoor reception subject to the following conditions:
- (a) That approval from Regional Police Services be received prior to consideration by City Council of an application for a complete closure;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance naming the Region and the City of Hamilton as an added insured party with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That advance temporary road closure signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways if deemed necessary by the Commissioner of Transportation/Environmental Services;

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- (f) That the applicant ensure that clean-up operations be carried out immediately before the reopening of the roads, to the satisfaction of the Region and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
40. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of L. Ellis, agent for the Boy Scouts of Canada (375 James Street South, Hamilton, L8P 3B9) to close MacNab Street South from Main Street to Jackson Street and Jackson Street from MacNab Street to City Hall parking lot, on Saturday, 1992 May 30 from 8:00 a.m. to 12:00 noon for the annual Boy Scout/Girl Guide Parade be approved subject to the following conditions:
- (a) That approval from Regional Police Services be received prior to consideration by City Council of an application for a complete closure;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That advance temporary road closure signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways if deemed necessary by the Commissioner of Transportation/Environmental Services;



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- (f) That the applicant ensure that clean-up operations be carried out immediately before the reopening of the roads to the satisfaction of the Region and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and
  - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
41. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the applications of the following agents to temporarily close portions of the following City of Hamilton streets to hold Neighbourhood Block Parties on Sunday, 1992 June 14:
- (a) P. Berquist (26 Roanoke Road, Hamilton) Roanoke Road (1:00 p.m. to 10:00 p.m.)
  - (b) G. Booth (2 Oak Knoll Drive, Hamilton) Dalewood Crescent between Paisley and Oak Knoll (5:00 p.m. to 9:00 p.m.)
  - (c) C. Cole (217 Park Row South, Hamilton) Park Row South between Lawrence and Justine (1:30 p.m. to 10:00 p.m.)
  - (d) J. Rumble (965 Montclair Avenue, Hamilton) Montclair Avenue between Grosvenor and Balmoral (1:00 p.m. to 6:00 p.m.)
  - (e) C. MacLeod (38 Fairleigh Avenue North, Hamilton) Fairleigh Avenue North between Wilson and King (1:00 p.m. to 6:00 p.m.)
  - (f) L. Smith (97 Arkell Street, Hamilton) Arkell Street between Paisley and Newton (12:30 p.m. to 3:30 p.m.)

Subject to the following conditions:

1992 June 30

- i. That approval from Regional Police Services be received;
  - ii. That the applicant obtain public liability insurance from the City of Hamilton;
  - iii. That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
  - iv. That all barricading be supplied by and at the expense of the applicant;
  - v. That temporary road closures signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways if deemed necessary by the Commissioner of Transportation/Environmental Services;
  - vi. That the applicant ensure that clean-up operations be carried out immediately before the reopening of the roads, to the satisfaction of the Region and at the expense of the event organizer;
  - vii. That no property owner or resident within the barricaded area be denied access to their property upon request;
  - viii. That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
42. That the City grant a licence agreement to Westinghouse Canada Inc. for a right of way to permit pedestrian and vehicular access between the Westinghouse parking lot and Beach Road (over land designated as Parts 1, 2, 3 and 4, Plan No. 62R-9714) provided Westinghouse Canada Inc. enter into an agreement satisfactory to the City Solicitor incorporating the following terms:
- (a) That the agreement may be ended by either party on 90 days written notice;

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- (b) That the right of way be subject to Westinghouse Canada Inc. entering into a Private Crossing Agreement with C.N. Rail for permission to cross the rail line passing through the former Beach Road allowance at mileage 0.36 Firestone Lead HB Mileage 43.37 Grimsby Subdivision;
  - (c) That Westinghouse Canada Inc. agrees to indemnify the City and to provide liability insurance naming the City of Hamilton as an additional insured in an amount not less than 3 million dollars;
  - (d) That the required agreement form part of the Westinghouse Canada Inc. Private Crossing Agreement with C.N. Rail and the Region of Hamilton-Wentworth.
43. (a) That the following City lands be incorporated into the road allowance as indicated below in order to complete the final street width or provide access to newly registered subdivision developments:

Greenhill Avenue	Part 3	Plan W.H.R.-89
Harbour Front Drive	Parts 1, 5, 14 20, 21 and 25	Plan 62R-12134
Chedmac Drive	Parts 1- 17 (incl) 26, 27, 28 and 29	Plan 62R-12060
Millwood Place	Part 2	Plan 62R-11979
Public Walkway	Part 4	Plan 62R-11979
Fieldway Drive	Parts 2,3,6,8,10 12, 14, 17 and 20 Parts 3 and 5	Plan 62R-11050 Plan 62R-11929

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Donn Avenue

Part 14

Plan 62R-9499

Acadia Drive

Parts 1, 13 and 28

Plan 62R-11096

- (b) That the by-law to carry out the incorporation of the said lands into the foregoing streets be enacted by City Council.
  - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
44. That the application of W. Powell, agent for the Earthsong Festival (401 Main Street West, Hamilton L8P 1K5) to temporarily close Longwood Road between Franklin and Princess Point entrance from Wednesday, 1992 July 1 at 12:00 noon to Sunday, 1992 July 5 at 11:00 p.m. to hold the annual Earthsong Festival, be approved subject to the following conditions:
- (a) That approval from Regional Police Services be received prior to a complete closure;
  - (b) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
  - (c) That all barricading be supplied by and at the expense of the applicant;
  - (d) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways, if deemed necessary by the Commissioner of Transportation/Environmental Services;
  - (e) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (f) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.



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45. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the request of A. Castellino and B. Giglia, agents for the Communita Racalmutese Maria S.S. Delmonte (P.O. Box 83005, Jamesville, Hamilton) to close Ferguson Avenue north of Burlington Street and Dock Service Road from Ferguson Avenue to Catharine Street on Sunday, 1992 June 21 from 9:00 p.m. to midnight for a fireworks display subject to the following conditions:
- (a) That approval from Regional Police Services be received prior for a complete closure;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance naming the City of Hamilton and holding the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways, if deemed necessary by the Commissioner of Transportation/Environmental Services;
  - (f) That the applicant ensure that clean-up operations be carried out immediately before the reopening of the roads, to the satisfaction of the Region and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

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46. (a) That in accordance with the City Traffic By-law No. 89-72 that Earl Paddock Transportation Inc. be given an Annual Overload Permit for the year 1992 for two (2) tractor trailers to travel upon Depew Street and Burland Crescent; and
- (b) That 18% of the carrying fee of \$2,667. or \$480. be credited to City Account No. 25827011 (Overload Permit Fees) and that 82% or \$2,187. be credited to Regional Account No. 46025 301502.
47. That the construction of an independent concrete curb on the east side of Upper Kenilworth Avenue from Landron Avenue to Limeridge Road proceed as a Local Improvement pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of forty-six thousand, one hundred dollars (\$46,100.) as provided in the 1992 portion of the 1992 - 2001 Capital Budget with a City's share of forty-six thousand, one hundred dollars (\$46,100.); and,
- (a) That the Finance and Administration Committee be requested to recommend a source of funds for this Capital Project; and,
- (b) That the Senior Director of Roads be authorized to construct these works once all of the necessary approvals have been received.
48. (a) That the construction of a concrete sidewalk on the west side of West 33rd Street at the west end of Elmwood Avenue and at the east end of South Bend Road East (north side) at the north end of Holt Avenue proceed as Local Improvements pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of two thousand, five hundred dollars (\$2,500.) and two thousand, eight hundred and sixty dollars (\$2,860.) respectively as provided in the 1992 portion of the 1992 - 2001 Capital Budget with a City's share of two thousand, five hundred dollars (\$2,500.) and two thousand, eight hundred and sixty dollars (\$2,860.) respectively and no Owner's share for both projects; and
- (b) That the Finance and Administration Committee be requested to recommend a source of funds for these Capital Projects; and
- (c) That the Director of Public Works be authorized to construct these works once all of the necessary approvals have been received.

49. (a) That purchase orders be issued as follows for concrete cutting and asphalt planing as and when required during 1992, 1993 and 1994 by the Public Works Department, being the lowest acceptable tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tenders, and that these expenditures be financed through various approved accounts:

<u>Concrete Cutting</u>	<u>1992</u>	<u>1993</u>	<u>1994</u>
Bigelow Brothers Construction, Mount Hope	\$ 85.	\$ 88.	\$ 90.
M. G. Nelson Concrete Cutting, Burlington	\$ 85.	\$ 90.	\$ 95.
plus travel time	\$ 30.	\$ 35.	\$ 40.

Asphalt Planing

Hard Rock Paving Company Limited, Port Colborne	\$310.	\$325.50	\$342.
plus travel time	\$ 65.	\$ 68.50	\$ 72.

Hourly rates with GST extra at 7%

- (b) As this works is to commence as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".
50. (a) That a purchase order be issued to Infrastructure Management Services Ltd., Toronto, in the amount of \$206,400. plus applicable taxes for Consulting Services, Pavement Management System being the most acceptable of three proposals received in accordance with specifications issued by the Manager of Purchasing and Vendor's proposal.
- (b) That this expenditure be financed through the Road and Sidewalk Reconstruction Programme, Pavement Management System Account No. CF5200 529242038.
- (c) That a contract be entered into satisfactory to the City Solicitor.



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51. For the information of City Council the following individuals have been appointed as citizen members to the Pedestrian Safety Advisory Sub-Committee of the Transportation and Environment Committee as approved by the Transport and Environment Committee at its meeting held 1992 June 22:
- Wendy Moore-Spors
  - Angela Maloch
52. (a) That the City Solicitor be authorized to make an application to a District Court Judge under Section 88 of the Registry Act, R.S.O. 1990 for an order to stop-up, close and sell the unassumed east/west alleyway adjacent to No. 276 Sanford Avenue North to the north/south alleyway;
- (b) That the Commissioner of Transportation/Environmental Services be directed to sign an affidavit setting out that no public funds have been expended on the alley to be closed;
- (c) That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor and that the applicant be responsible for all fees payable in District Court;
- (d) That the Applicant register a reference plan under The Registry Act; said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and that it delineate the manner in which the closed portion is to be distributed to the abutting owner and that the applicant deposit a reproducible copy of said plan, with the Regional Surveyor;
- (e) That the Commissioner of Transportation/Environmental Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Municipalities Act. R.S.O. 1990;
- (f) That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owner.

Provided the Judge's Order to close the highway is granted:



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- (a) That the Commissioner of Transportation/Environmental Services be directed to prepare a by-law for the sale of the closed alleyway to the abutting owner;
  - (b) That the City Clerk be directed to publish a notice pursuant to Section 301 of The Municipal Act, R.S.O. 1990, of the City's intention to pass the by-law.
53. (a) That the application of D. Loyst and J. Hettinga, proprietors of the Hess Village Cafe (18 Hess Street South, Hamilton) on behalf of the owners, Chintamani Pathak and Savitri Pathak, to establish an outdoor boulevard cafe at 18 Hess Street South, measuring a total of 350.46 square feet, on the Hess Street South road allowance, be approved during the pleasure of City Council, subject to the following:
- i. That the applicant and owner enter into a Boulevard Cafe Agreement in a form satisfactory to the Commissioner of Transportation/Environmental Services and the City Solicitor;
  - ii. That the applicant and the owner pay the processing and registration fee of \$217. and first annual encroachment fee of \$788.54 plus taxes, if applicable;
  - iii. That the applicant provide proof of \$2,000,000. public liability insurance, naming the City of Hamilton and holding the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - iv. That the applicant occupy the licensed area of the boulevard from May 1 to October 31 of each year of the agreement, provided that all furniture, equipment, etc. be removed from the road allowance at all other times.
- (b) That the Mayor, the City Clerk and the Treasurer be authorized and directed to execute the Boulevard Cafe Agreement.

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54. (a) That the West Central Region Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton has no objection to the establishment of an outdoor PCB waste storage site by Ball Packaging Products Canada Inc., at 391 Victoria Avenue North, for the consolidation of PCB materials, from their Ontario plants; namely the Simcoe, Malton, Niagara Falls and Burlington plants provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry and that all applicable City of Hamilton and Regional by-laws are complied with fully.
- (b) That a copy of this report and its attachments be submitted to the West Central Region Branch of the MOE for their information.
55. (a) That the West Central Region Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton has no objection to R. T. Recycling Technology receiving a Certificate of Approval to operate a Waste Disposal Site (Processing) located at 20 Warrington Street in Hamilton, provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry and that all applicable City of Hamilton and Regional by-laws are complied with fully.
- (b) That a copy of this report and its attachments be submitted to the West Central Region Branch of the MOE for their consideration in the preparation of the Certificate of Approval regulating the operation of the facility proposed by R. T. Recycling Technology.
56. (a) That the West Central Region Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton has no objection to Henkel Canada Ltd. conducting a decommissioning and clean-up of their Ward Avenue plant site at 162 Ward Avenue in Hamilton provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry and that all applicable City of Hamilton and Regional by-laws are complied with fully.

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- (b) That a copy of this report and its attachments be submitted to the West Central Region Branch of the MOE for their consideration in the preparation of the Certificate of Approval regulating the decommissioning site proposed by Henkel Canada Ltd.
- 57. (a) That the West Central Region Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton has no objection to Laidlaw Technologies Inc. establishing and operating a facility to solidify and neutralize fly ash from the Region's Solid Waste Reduction Unit (SWARU), provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry and that all applicable City of Hamilton and Regional by-laws are complied with fully.
- (b) That a copy of this report and corresponding City Council resolution be submitted to the West Central Region Branch of the MOE for their consideration in the preparation of the Certificate of Approval which would apply to the development and operation of the facility proposed by the proponent.
- 58. (a) That the West Central Branch of the Ministry of the Environment be advised that the City of Hamilton has no objection to PPM Canada Inc. carrying out the proposed PCB destruction for Westinghouse Canada/ABB Canada at 1632 Burlington Street, Hamilton, Ontario;
- (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the Ministry of the Environment be waived so that the proposed work can be carried out as scheduled;
- (c) That no specific permits are required for the proposed work.
- 59. (a) That the West Central Region Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton has no objection to I. Waxman & Sons Limited receiving a Certificate of Approval to operate a Waste Disposal Site (Processing) located at 500 Centennial Parkway North in Hamilton, provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry and that all applicable City of Hamilton and Regional by-laws are complied with fully.



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- (b) That a copy of this report and its attachments be submitted to the West Central Region Branch of the MOE for their consideration in the preparation of the Certificate of Approval regulating the operation of the facility proposed by I. Waxman & Sons Limited.
- 60. (a) That the 47 proposed transit shelter locations as outlined in Appendix "A" attached hereto as candidate shelter locations for the 1992 Hamilton Street Railway Shelter Program, be approved.
- (b) That Hamilton Street Railway install 27 shelters at these candidate locations in the priority indicated by the warrant scores and subject to finalizing the necessary encroachment agreements.
- (c) That the remaining candidate shelter locations which do not receive a shelter through the 1992 Hamilton Street Railway Shelter Program be considered for future years.
- 61. (a) That the portion of Section 17 of the Ninth Report of the Transport and Environment Committee adopted by City Council on 1991 June 25 which refers to the approval of engineering schedules for Bar-Brock Estates - Phase 3, Hamilton, be deleted.
- (b) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreements with the Owners for the estimated cost of services in:
  - i. "ACADIA ESTATES", Hamilton  
City's Share \$59,478.                      Owner's Share \$101,845.
  - ii. "BAR BROCK ESTATES - PHASE 3", Hamilton (Revised Schedules "E" and "F");  
City's Share - Nil                      Subdivider's Share \$252,970.43
  - iii. "PRIMECAN ESTATES", Hamilton  
City's Share \$328,994.                      Subdivider's Share \$307,467.



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iv. "RYMAL SQUARE ESTATES - PHASE 2", Hamilton

City's Share \$13,576.80

Subdivider's Share \$217,103.65

v. "SUMMERFIELD AT THE ORCHARDS", Hamilton

City's Share \$139,093.

Subdivider's Share \$196,828.

- (c) That the revised schedules of works for "Sandrina Gardens - Phase 1", Hamilton, be adopted for inclusion in the Subdivision Agreements with the Owners, and that the previously approved appropriation for the City's share be reduced from \$160,296. to \$55,941.
- (d) That the Mayor and the City Clerk be authorized and directed to execute the proposed Subdivision Agreements with the Owners of "Acadia Estates", Hamilton, "Bar-Brock Estates - Phase 3", Hamilton, "Primecan Estates", Hamilton, "Rymal Square Estates - Phase 2", Hamilton, "Sandrina Gardens - Phase 1", Hamilton and "Summerfield at the Orchards", Hamilton.
- (e) That the approval of the above-noted clauses be subject to the condition that no work has commenced on the installation of services except as provided for in sub-section (f) below.
- (f) That in the event the Owners wish to proceed prior to the registration of the Final Plans and Subdivision Agreements they should be allowed to do so at their own risk provided they enter into standard agreements with the City of Hamilton for pre-servicing.
- (g) That the City's share for the services in "Acadia Estates", (\$59,478.), "Primecan Estates", (\$328,994.), "Rymal Square - Phase 2", (\$13,576.80) and "Summerfield at the Orchards", (\$139,093.) be approved and that the Finance and Administration Committee recommend the source of funding for these projects.
- (h) That the Commissioner of Transportation/Environmental Services be authorized and directed to prepare the necessary by-laws to:

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- i. Establish the extension of Duncairn Crescent easterly from the existing eastern limit to the west limit of "Summerfield at the Orchards" subdivision and,
  - ii. Establish the extension of Gondola Street southerly and easterly from the existing southern limit to the west limit of "Summerfield at the Orchards" subdivision as a public road allowance as shown on a Plan of Reference prepared by P. J. Sheehy, O.L.S. in order to provide road access to the "Summerfield at the Orchards" subdivision.
- (i) That the Commissioner of Transportation/Environmental Services be authorized and directed to prepare the necessary by-laws to establish Part 1 of a Reference Plan prepared by P. J. Sheehy, O.L.S. as part of the Towercrest Drive road allowance in order to provide road access from Upper Wellington Street to "Primecan Estates" subdivision.
  - (j) That upon registration of the Final Plan of Subdivision for "The Gardens of Rymal - Phase 2", in accordance with current City policy, the Treasurer for the City of Hamilton be authorized and directed to financially compensate the Owners (Benemar Construction Inc.) in the amount of \$160,000. for excess lands dedicated to the City for roadway purposes on Upper Wentworth Street which are beyond the maximum 26.0 metre width required by the City and that the Finance and Administration Committee recommend the source of funding.
  - (k) That the Final Plan of Subdivision for "Summerfield at the Orchards", Hamilton not be released for registration until the Final Plan of Subdivision for "Orchard Park Estates - Phase 1", Hamilton has been registered.
62. (a) That the City Solicitor be authorized and directed to prepare the necessary by-law respecting the protection of trees for submission to City Council.
- (b) That the following policies and procedures be drafted by the Public Works Department and be presented to the Transport and Environment Committee and City Council when the policies are finalized:

- Protection of Trees
- Lights in Trees - Business Improvement Areas/Site Specific Locations
- Information Notice for Building Permit Application
- Criteria for Industrial Roadside Beautification Program - approved by City Council at its meeting of 1991 July 30 as Section 11 of the Tenth Report of the Transport and Environment Committee
- Sewer-Street Tree Policy - approved by City Council at its meeting of 1991 October 29

The explanatory policies and procedures are outlined in Appendix "B" attached hereto.

- (c) That the Region of Hamilton-Wentworth through the Transportation Services Committee be requested to consider the adoption of a Trees By-law applicable to public trees adjacent to Regionally designated roads within the City of Hamilton.
63. (a) That to the extent possible surface roots be dealt with through use of appropriate cultural practices including consideration of the following points:
- i. Frequent, light watering of lawns under trees can cause an abundance of tree roots in the upper soil surface and may cause surface rooting.
  - ii. Improper fertilization can cause surface rooting, particularly when combined with light watering. Heavy fertilization combined with low rainfall and light watering will result in a concentration of the nutrients in the upper several inches of soil which allows for vigorous grass growth, but also may cause an abundance of tree roots very near the surface.
  - iii. Often times surface rooting may be caused by soil structure. A heavy, shallow clay soil can result in a concentration of roots near the surface. If the clay soil is not too thick it can be fractured by compressed air.
  - iv. A high water table can cause tree roots to concentrate near the surface of the soil. Sometimes better drainage of an area will allow tree roots to penetrate deeper in waterlogged soils.
- (b) That the removal of the offending tree be the absolute last resort at the discretion of the City Horticulturist.



64. (a) That garbage collection be reinstated for the statutory holiday at Thanksgiving at a cost of approximately \$18,000.
- (b) That the garbage collection accounts be allowed to run into overdraft by the \$18,000. and this overexpenditure be offset by the overall surplus of the Public Works Department.
65. (a) That the Director of Public Works be authorized and directed to establish an Annual Tree Planting Programme on the City Road Allowance to be included in the 1993 Capital Budget associated with new construction projects and specific locations as approved by City Council;
- (b) That the 1993 Capital Budget for Road Reconstruction include an amount equivalent to one percent (1%) of the construction value, to be contained in the Annual Tree Planting Programme Account;
- (c) That the Director of Public Works be directed to include a budget enhancement to cover the annual maintenance of the trees associated with this Annual Tree Planting Programme for consideration in the 1993 Current Budget estimated at \$7,500. in 1993.
66. That a one time \$30. application fee be established for successful applicants for residential boulevard parking.
67. (a) That the Chairman or his designate be authorized to attend the 9th World Clean Air Congress and Exhibition to take place 1992 August 30 to September 4, Montreal, Quebec.
- (b) That costs for attendance be allocated to Aldermen Travel Account No. CH55201 10010 from the 1992 Operating Budget.
68. That leave be granted to introduce the following Bills:
- (a) **A-44** By-law to Incorporate 14, Plan 62R-12134, Part 5, Plan 62R-12134, Part 1, Plan 62R-12134 and Part 21, Plan 62R-12134 into Harbour Front Drive
- (b) **A-45** By-law to Incorporate Part 3, Plan W.H.R.-89 into Greenhill Avenue



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- (c) **A-46** By-law to Incorporate Parts 1 to 11 (inclusive) and Parts 26, 27 and 28, Plan 62R-12060, Parts 12, 13, 14 Plan 62R-12060, Parts 15, 16, 17 Plan 62R-12060 and Part 29, Plan 62R-12060 into Chedmac Drive
- (d) **A-47** By-law to Incorporate Part 2, Plan 62R-11979 into Millwood Place
- (e) **A-48** By-law to Incorporate Part 4, Plan 62R-11979 into Public Walkway
- (f) **A-49** By-law to Incorporate Parts 2, 3, 6, 8, 10, 12, 14, 17 and 20, Plan 62R-11054 and Parts 3 and 5, Plan 62R-11929 into Fieldway Drive
- (g) **A-50** By-law to Incorporate Part 14, Plan 62R-9499 into Donn Avenue
- (h) **A-51** By-law to Incorporate Parts 28, and 1, Plan 62R-11096 and Part 13, Plan 62R-11096 into Acadia Drive
- (i) **A-52** By-law respecting Trees
- (j) **A-53** By-law to amend By-law No. 89-72 to Regulate Traffic
- (k) **A-54** By-law to amend By-law No. 89-72 to Regulate Traffic

**Respectfully Submitted,**

**ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson, Secretary**

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Appendix "A" as referred to in  
Section 60 of the SEVENTH Report  
of the Transport and Environment  
Committee for 1992

## 18.0 TRANSIT SHELTER REQUESTS

During the course of a year numerous requests for new transit shelters are received for various locations. Every requested location must be investigated by the bus stop administrator to determine if a shelter is warranted.

### 18.1 Analysis and Evaluation

At any given time requests for new bus shelters will be received from Councillors, passengers, operators or activity centres such as senior citizen homes. Every request must be analyzed and evaluated to justify or reject possible locations.

This process is outlined on Figure 19 "Annual Bus Shelter Program - Analysis and Evaluation Process."

Figure 20 "Bus Shelter Installation Warrants - Relative Importance of Various Factors" outlines the total score that each variable may have and its impact on the total rating. As shown on the warrant sheet illustrated on Figure 21 "Warrants for Transit Shelter Installation" various factors are investigated and designated a rating which reflects the poor or good condition thereof.

The following factors are examined.

#### (a) Physical Aspects:

- a location that is completely exposed to the weather, for example on an open windswept corner lacking any protection from the weather
- a well lit area is preferred to deter vandalism
- the shelter should not be a sight obstruction; refer to sight distance criteria supplied by the City of Hamilton Traffic Dept. as illustrated on Figure 22

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- (b) Passenger Usage:
  - preference should be given to a well utilized stop
- (c) Route Stability:
  - if the route may be realigned within the next five years any stop location that could be affected should be avoided
  - if there are no foreseen route realignments and no major alignments have occurred in recent history, it is desirable
- (d) Passenger Waiting Time:
  - the greater the passenger waiting time between buses the better the location for a shelter
  - off peak headways, as opposed to peak headways, are the major determinant in this category due to the reduced frequency of service
- (e) Land Use:
  - as the density in the area surrounding a proposed shelter increases the better the impact of the shelter on the neighbourhood
- (f) Advertising Exposure:
  - the shelter program is supported through revenues generated by the advertising within the shelter

In conjunction with the proposed shelter locations, existing shelters should be investigated to determine if replacements are required.

Upon completion of the analysis and evaluation phase the new locations are prioritized based on the total scores as summarized on the warrant sheets. Locations with the highest totals are given top priority.

After selecting the locations where a new shelter will be installed it may be necessary to undertake an encroachment

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summarized on the warrant sheets. Locations with the highest totals are given top priority.

After selecting the locations where a new shelter will be installed it may be necessary to undertake an encroachment agreement with private property owners if a shelter is to encroach. Even though a location ranks high in the foregoing evaluation process, installation may not be possible if there is insufficient road allowance width available, and/or the property owner does not choose to permit an encroachment.

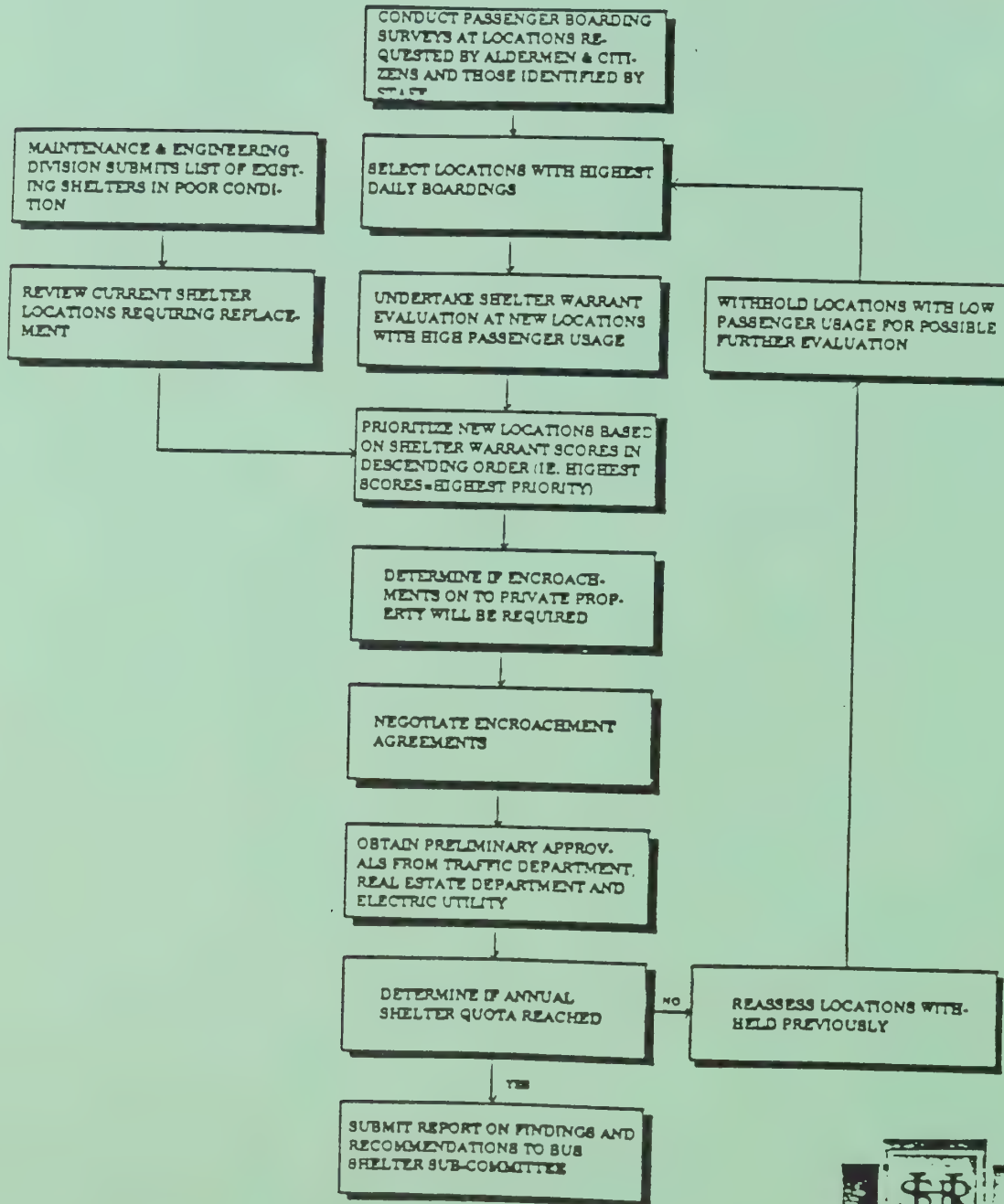
Depending upon the location, power hookups may be required to provide background lighting to the advertising panels. The bus stop administrator must conduct site visits with a representative of the following utility companies depending on the location:

- (a) Hamilton Hydro
- (b) Stoney Creek Hydro
- (c) Dundas Hydro
- (d) Ancaster Hydro



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**FIGURE 19**  
**ANNUAL BUS SHELTER PROGRAM**  
**ANALYSIS & EVALUATION PROCESS**



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**FIGURE 20**  
**BUS SHELTER INSTALLATION WARRANTS**  
**RELATIVE IMPORTANCE OF VARIOUS FACTORS**



FACTOR	RELATIVE IMPORTANCE IN PERCENTAGE OF TOTAL POINTS	
<b>A. PHYSICAL ASPECTS</b>		
EXPOSURE TO WEATHER CONDITIONS	15 %	
LIGHTING	5 %	
SIGHT DISTANCE OBSTACLE	5 %	
<b>ALL PHYSICAL ASPECTS</b>		25 %
<b>B. PASSENGER USAGE</b>		
NUMBER OF BOARDING PASSENGERS	25 %	
<b>TOTAL USAGE</b>		25 %
<b>C. ROUTE STABILITY</b>		
ROUTE CHANGES IN NEXT 3 YEARS	5 %	
YEARS ROUTE UNCHANGED	5 %	
<b>TOTAL STABILITY</b>		10 %
<b>D. PASSENGER WAITING TIME</b>		
HALF OF HEADWAY - PEAK HOUR (DURING RUSH HOURS)	5 %	
HALF OF HEADWAY - OFF PEAK HOUR	15 %	
<b>TOTAL LENGTH OF WAIT</b>		20 %
<b>E. LAND USE</b>	10 %	
<b>TOTAL LAND USE</b>		10 %
<b>F. ADVERTISING EXPOSURE</b>	10 %	
MINIMUM COMB* RATING: 7,000		
RECORDED COMB RATING: _____		
*COMB - CANADIAN OUTDOOR MEASUREMENT BOARD		
<b>TOTAL ADVERTISING EXPOSURE</b>		10 %
<b>TOTAL (A TO F) ALL FACTORS</b>		100 %

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**HAMILTON STREET RAILWAY  
MARKETING & CUSTOMER SERVICES DIVISION  
TRANSIT SHELTER WARRANT SHEET**

SURVEY DATE: \_\_\_\_\_ COMPLETED BY: \_\_\_\_\_ STOP NO.: \_\_\_\_\_

LOCATION: ON \_\_\_\_\_ SIDE: \_\_\_\_\_ AT \_\_\_\_\_

CORNER: \_\_\_\_\_ ROUTE(S): \_\_\_\_\_ DIRECT: \_\_\_\_\_ MUNIC.: \_\_\_\_\_

**A. PHYSICAL ASPECTS**

EXPOSURE TO WEATHER	_____	FULL (15)	AVERAGE (10)	MINIMUM (5)
BUS STOP AREA LIGHTING	_____	GOOD (5)	POOR (0)	
SIGHT DISTANCE OBSTACLE	_____	NO (5)	YES (0)	

**B. PASSENGER USAGE**

NUMBER OF BOARDING _____ PASSENGERS PER DAY	_____	HIGH >100 (25)	HIGH/AVG 61-100 (20)	AVERAGE 41-60 (10)	LOW/AVG 21-40 (5)	LOW 0-20 (0)
--	-------	----------------------	----------------------------	--------------------------	-------------------------	--------------------

**C. ROUTE STABILITY**

ROUTE CHANGES IN NEXT 5 YEARS	_____	NO (5)	YES (0)
YEARS ROUTE UNCHANGED	_____	>20 (5)	20-5 (3) <5 (0)

**D. PASSENGER WAITING TIME**

		PEAK HOUR	OFF PEAK HOUR
		<2.0 (0)	<4.0 (0)
HALF PEAK HOUR HEADWAY	_____	2.1 - 4.0 (1)	4.1 - 8.0 (3)
		4.1 - 6.0 (2)	8.1 - 12.0 (6)
HALF OFF PEAK HOUR HEADWAY	_____	6.1 - 8.0 (3)	12.1 - 16.0 (9)
		8.1 - 10.0 (4)	16.0 - 20.0 (12)
		10.1 > (5)	20.1 > (15)

**E. LAND USE IN NEIGHBOURHOOD**

UNDEVELOPED	(0)	RETAIL	(8)
INDUSTRIAL	(5)	TRANSFER PT.	(10)
RESID. SINGLE	(7)	HOSPITAL	(10)
RESID. MULTI	(8)	SENIORS HOME	(10)
SCHOOL/CHURCH	(8)	PUBLIC BLDG.	(10)

**F. ADVERTISING EXPOSURE**

APPROACH SIDE GREATER THAN 7000 (10)	NON-APPROACH SIDE LESS THAN 7000 (0)
---	---

COMB\* RATING  
- APPROACH SIDE  
- NON-APPROACH SIDE

TOTAL A. TO F.

**G. EASE OF IMPLEMENTATION**

ENCROACHMENT REQUIRED \_\_\_\_\_  
MAJOR SITE EXCAVATION REQUIRED \_\_\_\_\_

CLEARANCES REQUIRED:

HBA BENCH REMOVAL REQUIRED: YES NO

**H. OTHER CONSIDERATIONS**

**I. CONCRETE LANDING PAD REQUIRED**

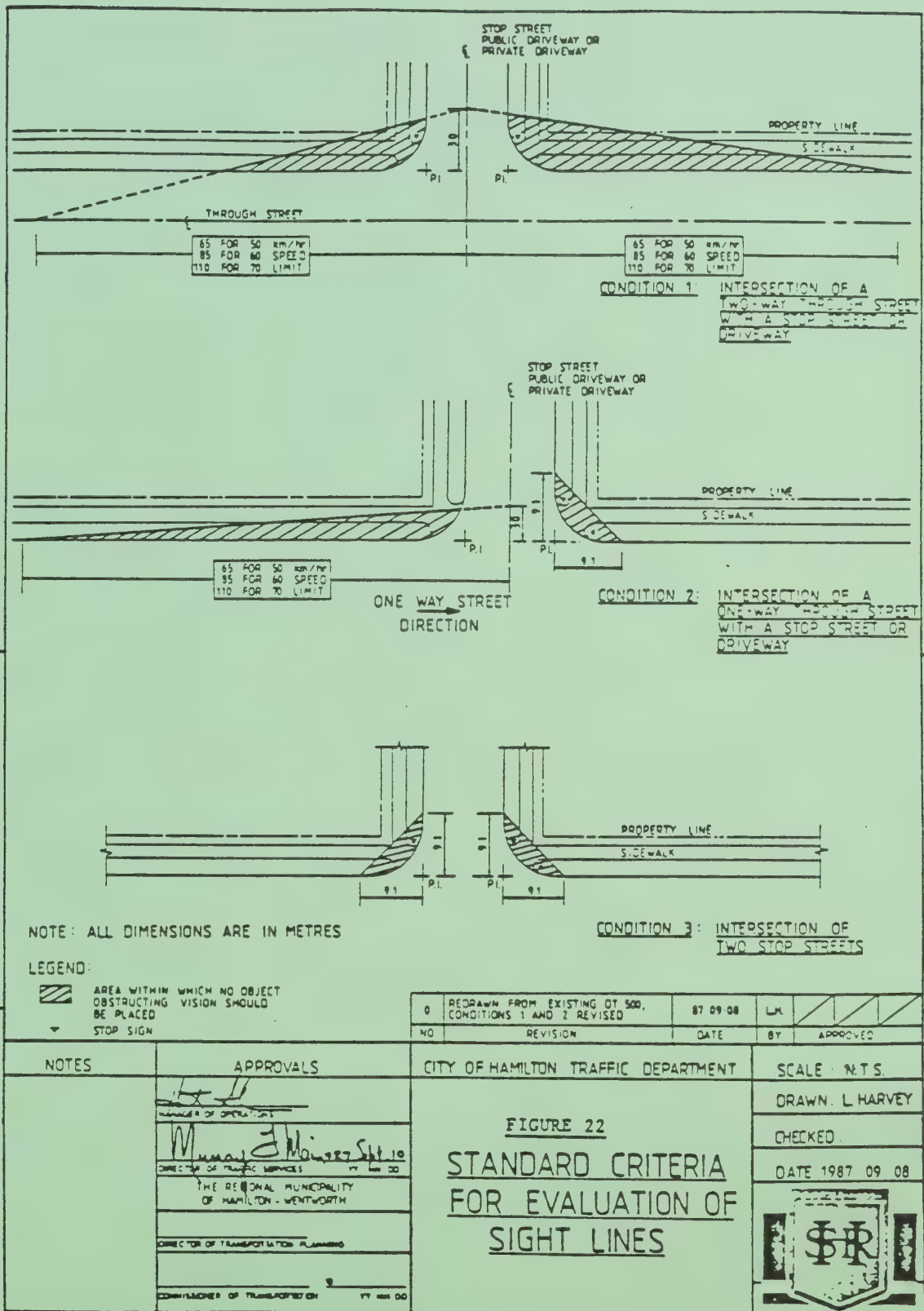
YES NO  
WIDTH LENGTH

\* COMB - CANADIAN OUTDOOR MEASUREMENT BOARD

HBA - HAMILTON BENCH ADVERTISING. BENCH MUST BE REMOVED IF AN ADVERTISING DAYTECH IS INSTALLED

SITE INVESTIGATION DRAWING ON REVERSE

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18.2 Approval Process

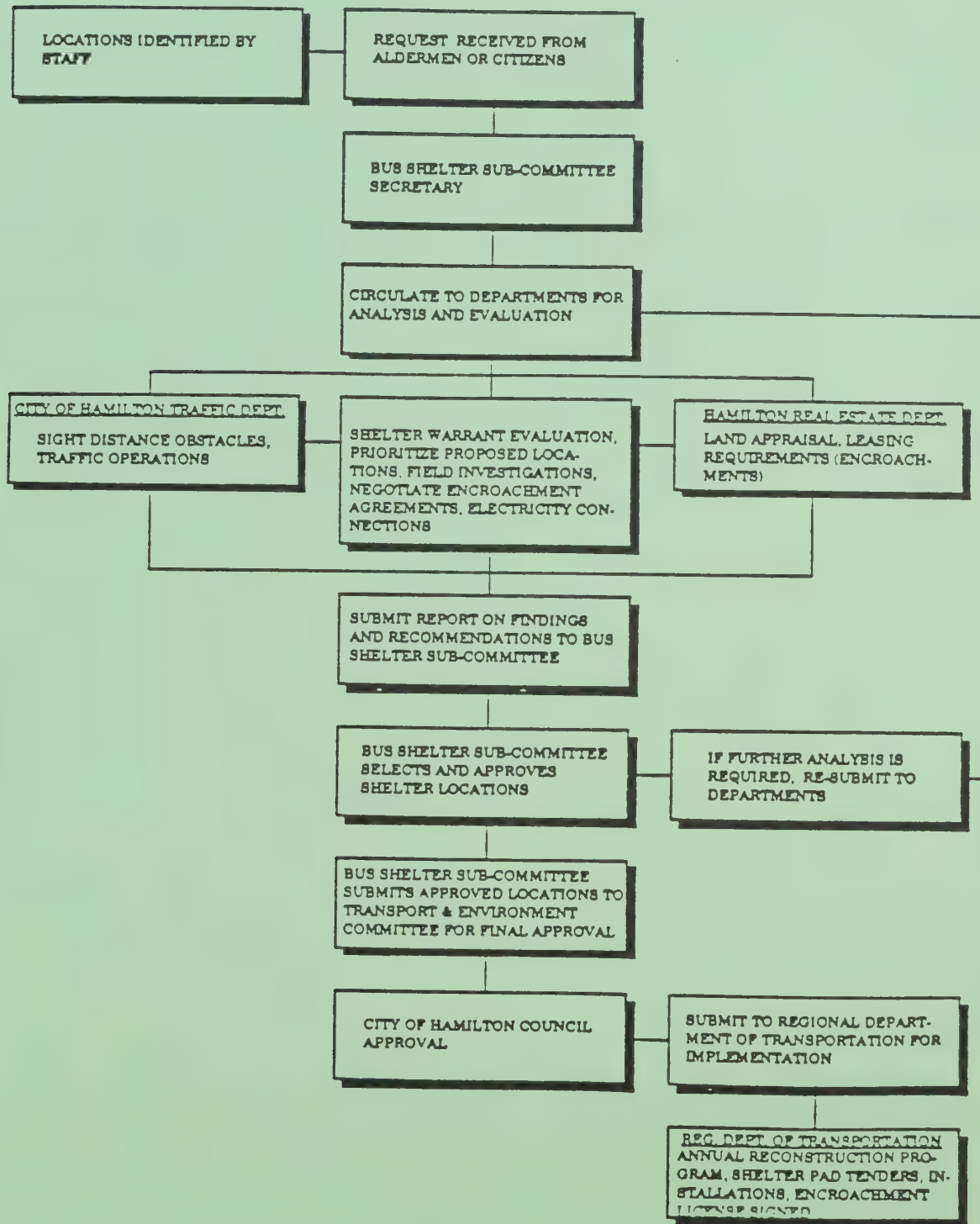
Upon completion of the analysis and evaluation process and the shelter locations have been selected, it is necessary to seek approval, dependent upon the municipality within which the shelter is located, from one of the following:

- (a) City of Hamilton
  - Transport and Environment Committee
  - City Council
- (b) City of Stoney Creek
  - Engineering Committee
  - City Council
- (c) Town of Dundas
  - Planning and Development Committee
  - Town Council
- (d) Town of Ancaster
  - Planning Department, Project Supervisor
  - Town Council

Figure 23 "Annual Bus Shelter Program Approval Process - City of Hamilton" outlines the steps involved.

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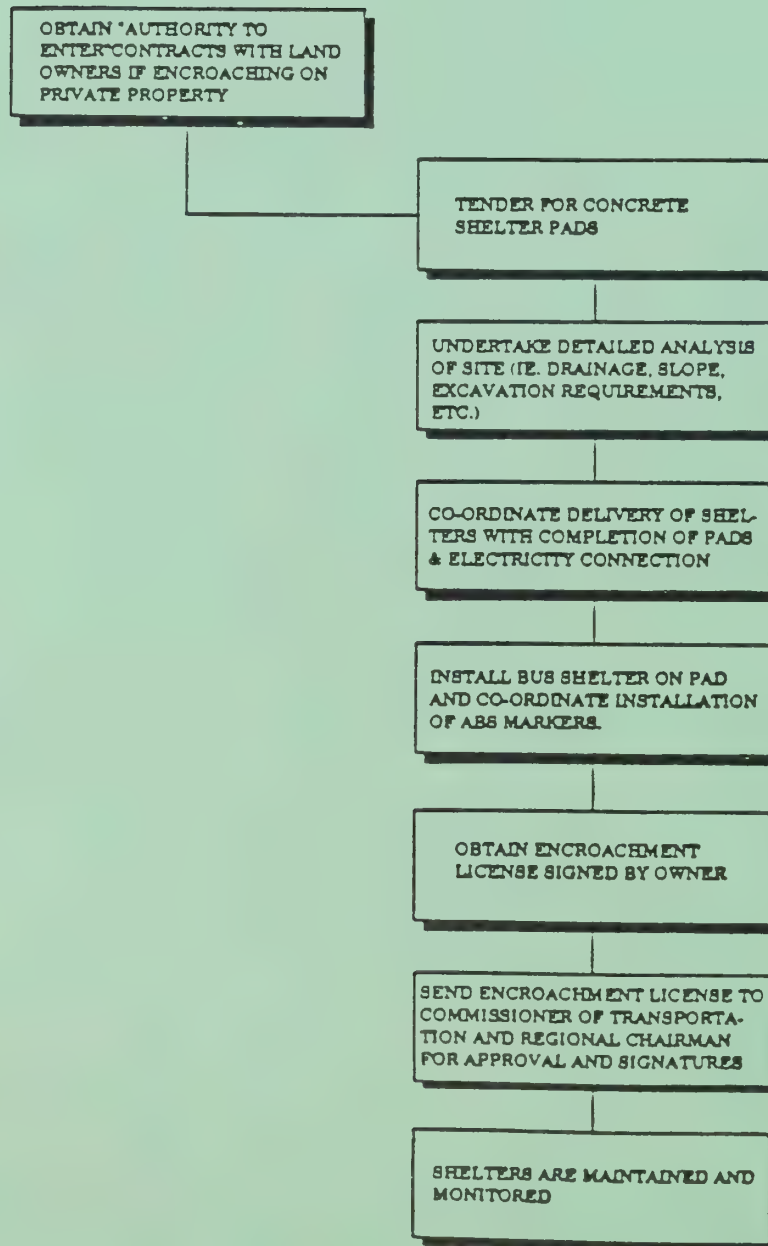
**FIGURE 23**  
**ANNUAL BUS SHELTER PROGRAM APPROVAL PROCESS**  
**CITY OF HAMILTON**



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**FIGURE 24**  
**ANNUAL BUS SHELTER PROGRAM**  
**IMPLEMENTATION PROCESS**



Appendix "B" as referred to in  
Section 62 of the SEVENTH Report  
of the Transport and Environment  
Committee for 1992

### PROTECTION OF TREES

During the installation of various services, there are many instances in which work is being carried out in the vicinity of trees. In the past very little consideration was given to the tree and frequently the tree was removed because it simply was in the way.

Over the past ten or fifteen years, the Public Works Department has been ensuring that if work is carried out in the vicinity of a tree, action is taken to protect the tree and under only rare circumstances will the tree be permitted to be removed and replaced. There has however been no reference to the protection of trees in the by-law. The Department has therefore, developed and included a clause on this matter which will ensure that trees are protected during construction. It also establishes a method of calculating the replacement value of trees which may be damaged during or as a result of construction.

The inclusion of a clause regarding the protection of trees is consistent with City Council's policy that the management, maintenance and improvement of the urban forest be a corporate priority for 1992 and subsequent years.

The following procedure is written on how to protect trees.

Trees will be protected by the permit holders in the following manner:

- a) No work shall be carried out within the dripline of any tree.
- b) The tree must be protected from materials, equipment and changes in the grade of soil within the dripline area by the placement of protective fencing.
- c) If work must be carried out within the dripline of the tree, the area must be tunnelled or bored under,
- d) No removal, trimming or alteration of any tree is permitted unless authorization is first received from the Director of Public Works,
- e) If trees are damaged and must be replaced as determined by the Director of Public Works, the contractor will be responsible for replacing the tree at his/her cost and paying the Corporation the value of the damaged tree,



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- f) The value of the tree to be replaced will be determined in accordance with the International Society of Arboriculture Tree Evaluation Guide, or at values determined by City Council and in effect at the time the damage took place."

**Reason:** The by-law previously did not contain any clauses with respect to the protection of trees during construction or to the replacement cost of trees which may be damaged during or as a result of construction. The inclusion of this clause is consistent with City Council's policy that the management, maintenance and improvement of the urban forest be a corporate priority for 1991 and subsequent years.

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LIGHTS IN TREES  
BUSINESS IMPROVEMENT AREAS/SITE SPECIFIC LOCATIONS

That the request of any Business Improvement Area to install new electrical receptacles to provide power for lights in the trees in the individual BLA's and those BLA areas with existing electrical receptacles to provide power for lights in the trees, adhere to the following criteria:

- a) That the individual proponent be responsible for entering into an agreement with Hamilton Hydro and for the flat rate power consumption charges, payable directly by them to Hamilton Hydro.
- b) That the Regional Municipality of Hamilton-Wentworth Engineering Department, on behalf of the City of Hamilton, arranges for the maintenance of hydro pole mounted electrical equipment only.
- c) That the individual proponent be responsible for all required maintenance and the proper, safe working order of all electrical equipment not mounted on the hydro pole (ie: conduits, receptacles, wiring, enclosures, switches, etc).
- d) That electrical outlets be located above 8' on either existing poles or building fronts.
- e) That the strings of lights be fastened to the trees with adjustable fasteners to avoid girdling of the tree.
- f) Annually, a licensed electrician must inspect and repair/replace wiring, etc with regards to public safety and condition of the tree (girdling and wire wear), all at the expense of the individual proponent; the Public Works Department must be notified of this inspection along with its findings and action taken.
- g) That strings of lights and other electrical wiring in trees be removed and reinstalled at the expense of the individual proponent to facilitate trimming by the City. Forestry staff will notify the individual proponent when trimming is scheduled, taking into account the grid trimming program and life span of the lights.
- h) That all permanent wiring be installed by licensed electricians at the expense of the individual proponent.
- i) That all lighting (not hard wired) be installed by qualified decorative lighting company personnel and proposed loadings be approved by the Regions Engineering staff before installation.
- j) That failure to satisfy the above criteria will result in written notice to the proponent outlining the nature of the problem and requirements for compliance. Following no action or refusal by the proponent to correct the specified problem, Public Works will remove the lights and wiring, with the cost charged to the individual proponent.
- k) That if a tree dies and requires replacement, the individual proponent will arrange for the removal of lights at the cost to the individual proponent. Once the tree is replaced, lights may be installed at the cost to the individual proponent.

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### SUMMARY

Lights acceptable on City trees when:

1. Electrical outlet is a separate circuit and located above reach on an existing pole or an existing building front.
2. Proponent to be responsible for annual hydro charge.
3. Electrical equipment to be checked/repared annually by a licensed electrician for public safety and protection of the tree.
4. Electrical wires to be replaced by the proponent when required (approximately every 4-5 years).
5. All permanent electrical equipment to be installed by a qualified electrician.
6. Proponent to be responsible every year that all lights are working.

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INFORMATION NOTICE FOR BUILDING PERMIT APPLICANT

This is to advise that the Public Works Department, Parks Horticulture is responsible for the maintenance and general well being of all trees on City property including City and Region road allowances. Depending on the nature of the proposed undertaking, a tree on the road allowance may be affected ie: new access, grade change, equipment access during construction, excavation etc.

Streets By-Law #9329, Section 5, Subsection (8) states that "No person shall injure or destroy a tree" upon a highway. On this basis, it is recommended that prior to commencing the building permit application process, you contact the Public Works Department at 546-2785. \*

This will allow a site inspection to be made and information provided to you regarding the policies and procedures with respect to any municipal tree being effected.

Your cooperation in this regard will be greatly appreciated and go along way in preserving our urban forest.

\* This will be updated to reflect content of proposed new by-law following council approval.



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## SEWER - STREET TREE POLICY

ADOPTED BY CITY COUNCIL OCTOBER 29, 1991

### CITY

Sewer Cleaning	When the City receives complaints from a property owner regarding City tree roots impairing the operation of the property owner's sewer, it will be the property owner's responsibility to call a sewer contractor to clean out the property owner's sewer. The sewer contractor will advise the property owner and the City by way of a signed affidavit, of the exact cause of the blockage.
Blockage by Tree Roots	If it is determined that the sewer blockage was caused by the roots of a City tree, the City will assume 100% of the cost of the clean out.
Blockage other than Tree Roots	If it is determined that the blockage was not caused by the roots of a City tree, the total cost for the clean out will be assumed by the property owner.
50/50 Cost Share	If a sewer clean out is required twice or more in one year, as the result of City tree roots, the Director of Public Works will discuss the situation with the property owner and a decision will be made by the Director of Public Works to cost share 50/50 either the removal of the tree and/or replacement of that portion of the sewer line affected by tree roots. The replacement sewer line must meet Region of Hamilton-Wentworth Specifications and a permit must be obtained prior to construction.
Blockage on Road Allowance	<p>A. If there is a blockage caused by settlement or a collapsed or broken sewer line, the Regional Municipality of Hamilton-Wentworth will pay 100% of the cost to repair the sewer line, regardless of whether or not tree roots are present.</p> <p>B. If there is a blockage caused by tree roots, then arrangement will be made to cost share 50/50 for the removal of the blockage.</p> <p>Upon discussion with the property owner, the Director of Public Works has the option to continue with a scheduled sewer clean out program; the City will assume 100% of the cost of the clean out.</p>

PSU/rb  
May 22, 1991

1992 June 30

**CRITERIA FOR INDUSTRIAL ROADSIDE BEAUTIFICATION PROGRAM  
- JULY 1991**

This program is offered to beautify the city owned portion of industrial roadside areas on a 50/50 cost share of the initial capital cost providing the adjacent property owner enters into an agreement with the City of Hamilton to maintain the landscaping.

Criteria

**Design**

1. Applicant must submit design plan to Public Works, Parks Horticulture with 2 cost estimates for beautification on road allowance.
2. Design to include all overhead and underground utility locates.
3. Must comply with City by-laws.
4. No electric receptacles or lights will be affixed to trees.
5. Parks Horticulture will approve design.

**Estimates and Maintenance**

1. Estimates to include 1 year warranty on installed plant material.
2. All plant material installed to be maintained by property owner, including: watering, fertilizing, weeding, insect and disease control.
3. All trees planted on the road allowance become the responsibility of the Public Works Department and will be scheduled for trimming in Grid Program.
4. Any replacement trees required will be cost shared between the property owner and the City on a 50/50 cost share basis.
5. Architecturally designed signage to be developed and displayed.  
ie: "This roadside beautification project has been undertaken  
jointly by firm name and the City of Hamilton,  
Public Works Department.

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**Approval**

1. Recommendation Report to the Transport and Environment Committee specifying selected addresses for program based on the date received by the Public Works Department.
2. Upon Council approval, Property owner may proceed with design installation.
3. Upon completion of project, the Public Works Department will inspect site and recommend entering into the agreement whereby the adjacent property owner will be responsible for the maintenance of the landscaping.
4. Upon completion of the agreement which is to be registered on title by the property owner, the Public Works Department will approve release of 50% of the capital cost.

1992 June 30

TREE PERMIT

PURSUANT

SECTION 9 OF BY-LAW NO. 92-

In consideration of the sum of \$200.00 \_\_\_\_\_

is hereby granted a permit pursuant to Section 9 of By-law 92- for the property municipally known as:

I agree to follow the conditions of this permit listed below:

1. A snow fence or other barrier should be erected around the tree to at least the dripline of the tree and be maintained until the completion of the work.
2. No heavy equipment, trucks, loaders, backhoes, graders, etc. are to be used in a manner which may injure limbs, trunks, roots or any part of a tree growing on public property.
3. No person shall deposit or maintain, on public property during construction, any brick, stone, concrete or other materials which may impede the free passage of water, air and fertilizers to roots of any tree growing on public property.
4. Protection is to be provided about each tree in the immediate areas of work during trenching, cable installation and manhole construction, if there is thought to be any danger of mechanical injury to any part of a tree growing on public property.
5. Trees 8 to 12 inches may only be trenched by machine to within ten (10) feet of the tree trunk. From here on, boring or trenching must be by hand.
6. Trees 12 inches or more in diameter may only be trenched by machine to within fifteen (15) feet of the tree trunk. From here on, boring or trenching must be by hand and no roots over one inch in diameter are to be cut if avoidable.
7. Where possible to tunnel the distance required by the above criteria, it is suggested that tunnelling begin at the specified distance with sufficient surface openings to make work feasible.
8. Within the specified distances from the tree trunk, no roots over one (1) inch in diameter are to be cut.
9. Where tunnelling has been used, extreme care must be taken, when backfilling, that no air pockets remain to further injure the tree.
10. It is further directed that, when backfilling tunnel, especially where under trees, a good soil mixture must be used. It should consist of 2/3 genuine top soil and 1/3 peat moss. Such soil should help greatly in promoting the growth of new roots.

Certain problems may arise what will have to be evaluated on their own merit and according to circumstances. When such problems arise, the City Horticulturist must be consulted.

Failure to comply with any of the above conditions or the direction of the Public Works Department automatically cancels this Permit and prosecution could follow.

Date at Hamilton this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_

Signature \_\_\_\_\_ Witnessed \_\_\_\_\_  
Permit Holder City of Hamilton









1992 June 30

## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **THIRTEENTH** Report for 1992 and respectfully recommends:

1. (a) That approval be given to enter into a contract with Valee-Way General Contractors of Concord, Ontario as the General Contractor for the Huntington Park Recreation Centre, Renovation and Addition. The contract account will be two million, four hundred and ninety-two thousand, four hundred dollars (\$2,492,400.) plus applicable G.S.T. to a total of two million, six hundred and forty-one thousand dollars (\$2,641,000.).
- (b) That the project team be authorized to include the following additional renovation elements to the existing building. These additional renovations will fall within the total approved project budget.
  - Replace all mechanical and electrical systems in the existing building with new
  - Replace finishes, fixtures, plumbing and electrical in existing washrooms
  - Increase parking area lighting (safety)
  - Add new ventilation system for existing gymnasium and
  - Landscaping
  - Waterslide
- (c) That a contract satisfactory to the City Solicitor be entered into between the City and the General Contractor, Valee-Way General Contractors of Concord, Ontario.
- (d) That the Mayor and the City Clerk execute the contract on behalf of the City.



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2.
  - (a) That the City grant to the Region for the sum of \$1., a 6 metre wide easement for maintenance of a sanitary sewer line to connect existing and future users of the Pier-4 Park redevelopment site (namely Macassa Bay Sailing Club, McDonald Marina Services, Pier-4 Park washroom building and Pier-4 water spray features) with the Regional Sanitary Sewer System.
  - (b) That an Easement Agreement and Survey be prepared by the City in respect of the sanitary sewer line now being constructed by the Public Works Department which is being assumed by the Region.
  - (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
3. That approval be given to the action taken by the Director of Culture and Recreation to allow Hostess Frito-Lay Company to sell beer and alcoholic beverages on the occasion of their fastball tournament to be held at Globe Park on 1992 June 20 and June 21 subject to the following terms and conditions:
  - (a) That proof of \$2 million comprehensive general liability insurance for property damage and bodily injury, naming the City as additional insured be provided.
  - (b) That the applicant meet all requirements of the Liquor License Board of Ontario for issuance of a special occasion permit.
  - (c) That the applicant assume responsibility for all labour-related costs as a result of this event.
  - (d) That the concessionaire be contacted to make the necessary arrangements for the provision of food.
4.
  - (a) That approval be granted to reduce the rental charges by 50% for the use of the Mohawk Sports Park, 1992 October 9 to October 12 by the Hamilton Football Officials Association to host the Ontario Football Championships.
  - (b) That the organizers be responsible to pay all labour-related costs incurred on the statutory holiday (Thanksgiving Day holiday).

1992 June 30

5. (a) That the Parks and Recreation Committee endorse the sale of alcoholic beverages by the Greek-Canadian Church on church property only and in conjunction with their annual Greek Fest to be held 1992 August 14, August 15, August 16.
- (b) That permission be given to the organizers to erect a tent on Inch Park for the purpose of cooking and selling food and to provide an area for entertainment and dancing subject to the following terms and conditions:
  - i. That approval be received from the Health and Fire Departments for arrangements for the sale of food and refreshments.
  - ii. That proof of \$2 million public liability insurance for property damage and bodily injury naming the City as additional insured, be provided.
  - iii. That police security satisfactory to the Hamilton-Wentworth Regional Police be provided.
  - iv. That precaution be taken by the organizers to ensure the grounds are not damaged and financial restitution be made to the City for any damage that may occur.
  - v. That all City costs over the above norm incurred as a result of this event be paid by the applicant.
  - vi. That permission be granted to park 100 vehicles on Inch Park in an area approved by the Parks Division.
6. That the Hamilton and District Labour Council be granted permission to sell food and alcoholic beverages on the occasion of their Labour Day parade and picnic to be held on Monday, 1992 September 7, 12:00 noon to 5:00 p.m. at Dundurn Park subject to the following terms and conditions:
  - (a) That proof \$2 million general liability insurance for property damage and bodily injury naming the City as co-insured be provided.

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- (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, clean-up, etc.).
  - (c) That alcoholic beverages be served in the confined area of the pavilion.
  - (d) That the applicant adhere to the regulations stipulated by the Liquor Licence Board in the provision of alcoholic beverages.
  - (e) That special duty officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
7. That the Mozart Chamber Orchestra organizers be granted permission to sell food and alcoholic beverages on the occasion of the Lobsterfest 1992 August 29 in Dundurn Park from 6:00 p.m. to 1:00 a.m. subject to the following terms and conditions:
- (a) That proof of \$2 million comprehensive general liability insurance for property damage and bodily injury be provided same to be submitted 30 days in advance of the event and naming the City as co-insured.
  - (b) That the applicant assume responsibility for all labour-related charges associated with the event (set-up, dismantling, clean-up, etc.).
  - (c) That alcoholic beverages be served in the confined area of the Pavilion.
  - (d) That the applicant adhere to all regulations stipulated by the Liquor Licence Board in the provision of alcoholic beverages.
  - (e) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
  - (f) That all activities are to be monitored by the Special Events Advisory Team.
8. (a) That permission be granted to the Ontario Hang Gliding Association Inc. to fly paragliders from King's Forest in the area at the end of Mohawk Road in the former ski area.
- (b) That proof of \$2 million comprehensive general liability insurance for bodily injury and property damage naming the City as co-insured be provided.

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9.
  - (a) That approval be given to the Hamilton Street Railway Company to install a 5 foot x 10 foot bus shelter in Mahoney Park located on Barton Street East opposite Walter Street to the satisfaction of the Manager of Parks.
  - (b) That the Mayor and City clerk be authorized to execute the necessary lease agreement in a form satisfactory to the City Solicitor.
  - (c) That it is understood and agreed that the Hamilton Street Railway will remove the said bus shelter if required by the City for any purpose, given thirty (30) days written notice without reservation.
10.
  - (a) That a purchase of land from Ontario Hydro for roadway purposes being Part 8, Registered Plan 62R-8743 comprising a total area of 258.8 square metres (2,785.79 square feet) more or less, located south of Greenhill Avenue and representing a portion of the accessway to Rosedale Arena be approved and completed and the purchase price of \$564. be charged to Account No. CH5X303 00107 (Property-Transport-Capital Services Through Unsubdivided Land).
  - (b) That the Commissioner of Transportation and Environmental Services be requested to prepare the necessary by-laws to incorporate this parcel into a public highway together with the private access driveways leading to King's Forest Golf Course and King's Forest Park upon completion of this transaction.
  - (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
11.
  - (a) That the leasing of 563 Aberdeen Avenue to D. C. Smith be approved and completed. The tenancy is to commence 1992 June 1, at a one time rental of \$100. due to cleaning and decorating required, which has been agreed to be carried out by the tenant. Commencing 1992 July 1, the monthly rental of \$275. (including taxes of \$1,893.04 for 1992) be credited to Account No. CH44104 31106 (Civic Properties Rental).
  - (b) That the Mayor and City Clerk be authorized and directed to execute the tenancy agreement in a form satisfactory with the City Solicitor.



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12. That an agreement satisfactory to the City Solicitor be entered into with Mrs. Ruth Stefan, Hamilton, for the leasing of the food and beverage concessions at Globe and Gage Parks during 1992 and 1993, with the option in favour of the City to renew for 1994, being the only proposal received in accordance with the Request for Proposal issued by the Manager of Purchasing and Vendor's submission as follows:

	<u>Flat Fee Per Year</u>		<u>Option Period</u>
	<u>1992</u>	<u>1993</u>	<u>1994 Jan. - 1994 Dec.</u>
Gage Park	\$ 100.	\$ 100.	\$ 100.
Globe Park	\$ 1,000.	\$1,000.	\$1,000.

13. That a purchase order be issued to Wesco, Hamilton for the supply and delivery of light fixtures and poles as and when required during 1992 for the Parks Division of the Public Works Department, being the lowest of five tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and that this expenditure be financed through Stock Account No. CH56197 60999.

14. (a) That purchase orders be issued for the supply and installation of water spray pads at seven (7) City parks being the lowest tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tenders as follows:

<u>Harm Schilthuis &amp; Sons, Ancaster</u>	\$190,626.50
Mountview, Mount Lions Templemead Parks	

<u>Blacktop Enterprises Ltd., Hagersville</u>	\$423,353.30
Kennedy, Gershome, Montgomery and Trenholme Parks	

Above prices include all taxes and contingency allowances (c/a).

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- (b) That these expenditures be financed through the following approved accounts.

Mountview Park

Total

Account No. 703 DEV050 CH56398 62910 \$59,042.60  
c/a \$9,000.

\$68,042.60

Mount Lions Park

Account No. 703 DEV051 CH56398 62910 \$70,641.40  
c/a \$9,000.

\$79,641.40

Templemead Park

Account No. 703 DEV060 CH56398 62910 \$37,942.20  
c/a \$5,000.

\$42,942.20

Kennedy East Neighbourhood Park, Phase I

Account No. 703 DEV048 CH56398 62910 \$104,234.05  
c/a \$10,000.

\$114,234.05

Gershome Neighbourhood Park

Account No. 703 DEV042 CH56398 62910 \$79,512.77  
c/a \$9,000.

\$ 88,512.77

Montgomery Park

Account No. 703 DEV052 CH56398 62910 \$81,035.92  
c/a \$12,000.

\$ 93,035.92

Trenholme Park, Phase II

Account No. 703 DEV061 CH56398 62910 \$115,571.24  
c/a \$12,000.

\$ 127,571.24

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15. That a purchase order be issued to Ark-Tech Contracting Ltd., Ancaster, in the amount of \$99,155.83 including all applicable taxes, to install baseball diamond lighting at Mohawk Sports Park, being the lowest of three tenders received in accordance with specifications issued by the Manger of Purchasing and Vendor's tender and that this expenditure be financed through Work Done for Others Account No. CH56398 62910 (\$86,000.) and Mohawk Sports Park Account No. CF5200 62875 4001 (\$13,155.83).
16. That a signing authority for the following positions in the Cemetery Division of the Public Works Department be approved:
  - (a) Manager of Cemeteries
  - (b) Administrative Co-ordinator
  - (c) Stenographer

The above positions are to process the non-discretionary contracts established by the Cemetery Act effective 1992 July 1 for:

- (a) Prepayment of interment certificates
  - (b) Deeds for property owners and
  - (c) Contracts for cemetery supplies and services between the City of Hamilton and the client purchasing the gravesite.
17.
  - (a) That the Ministry of Tourism and Recreation Capital Grants funds in the amount of \$475,000. be allocated to the Capital Construction costs pertaining to the Sackville Hill Senior's Recreation Centre.
  - (b) That the total cost of the project be increased by \$194,000. to offset the cost for the major capital fixtures that enhance the recreational opportunities and achieve the program objectives in compliance with the Capital Grant Application to the Ministry of Tourism and Recreation.
  - (c) That the Finance and Administration Committee be requested to recommend the method of financing.

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18. (a) That the formal display of plaques attached hereto as Appendix "A" commemorating the opening of the Sackville Hill Seniors' Recreation Centre, 780 Upper Wentworth Street, Hamilton to be installed on the main foyer wall, be approved.
- (b) That a formal plaque recognizing Mr. Sackville Harry Hill to be installed in the entrance way to the building, be approved.

19. (a) That the current twilight golf course green fees be revised as follows:

	<u>PRESENT</u>	<u>REVISED 1992</u>
CHEDOKE		
(Martin)	\$19.	\$14.
(Beddoe)	\$21.	\$16.
KING'S FOREST	\$21.	\$16.

- (b) That a pilot project introducing a \$13. Nine Hole Green Fee be implemented at King's Forest for the 1992 golf season.
- (c) That the hours be restricted to 7:00 a.m. to 8:30 a.m. weekdays.
20. (a) That Regional Council be requested to favourably consider a one time capital grant to "Earthsong" for capital improvements to Princess Point.
- (b) That Regional Council be asked to request that the Royal Botanical Gardens either reduce or waive the rental fee for the Earthsong Festival at Princess Point.
- (c) That Earthsong's organizers (Creative Arts) be encouraged to maximize festival revenues in order to eliminate any potential deficit.
21. That the City commit one third of the necessary funds to a maximum of \$1,500,000., (one million, five hundred thousand dollars) for the stadium renovation required to accommodate a Hamilton "AA" Baseball franchise.



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22. (a) That the Treasury Department be authorized to draw on the \$10,000. security deposited by the Hamilton Redbirds in order to pay the outstanding rental arrears for the use of Bernie Arbour Stadium for the year 1991 in the amount of \$6,750.
- (b) That a revised rental payment schedule and security scheme attached hereto as Appendix "B" be accepted for the year 1992.

Respectfully Submitted,


ALDERMAN T. JACKSON, CHAIRPERSON  
PARKS AND RECREATION COMMITTEE

Kevin C. Christenson  
Secretary

1992 June 23

**Appendix "A" as referred to in  
Section 18 of the THIRTEENTH  
Report of the Parks and Recreation  
Committee for 1992**

*The Corporation of the City of Hamilton*





Commemorating and Celebrating  
*The Official Opening Gala*  
of the  
*Sackville Hill Seniors' Recreation Centre*

FRIDAY, SEPTEMBER 25, 1992

Robert M. Morrow  
Mayor, City of Hamilton

Tom Jackson  
Chairman, Parks and Recreation



*Recognition*

*This Building is erected to honour the Senior Citizens of this City in recognition of their dedication to the City of Hamilton.*

*Construction*

*This Seniors' Recreation Centre presents the foremost Facility in the Province and beyond. Planning and Development was a co-operative effort from the Feasibility Study to completion.*

*Special Recognition to :  
Demik Construction Limited, General Contractor  
Richard G. Butterworth, Architect  
Stephen R. Teeple, Architect*

*Sackville Hill Builders Wall*

*This special central feature of the Seniors' Recreation Centre will be known as the Sackville Hill Builders Wall. It recognizes the initial generous land contribution by Mr. Sackville Hill.*

*The Building Blocks start today with the names of those who have of themselves to realize a dream and for those who come tomorrow. To enhance the Facilities, Programs and Services each and every year. We take our hats off to the past and roll up our sleeves to the future.*



Appendix "B" as referred to in  
Section 22 of the THIRTEENTH  
Report of the Parks and Recreation  
Committee for 1992

City of Hamilton  
Treasury Department

The Hamilton Redbirds

Proposed payment arrangement schedule for 1991 arrears  
and estimated rental payments due for the year 1992

Date	1992								
	1991 Arrears	Monthly Rental	Outstanding Liability	Security on Deposit	Security Applied	Security Balance	Payment Required	(1) Security Position	Unsecured Liability
June 30/92	6,750	2,000	8,750	10,000	(8,750)	1,250	0	1,250	0
July 15/92		4,500	4,500	1,250	(1,250)	0	3,250	0	3,250
August 14/92		3,750	3,750	0	0	0	3,750	0	3,750
September 15/92		250	250	0	5,000	5,000	5,250	5,000	250
October 15/92		0	0	5,000	5,000	10,000	5,000 (2)	10,000	0

Note: (1) Payments to be made by postdated cheques

(2) Subject to adjustment based upon actual 1992 games played





1992 June 30

## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **ELEVENTH** Report for 1992 and respectfully recommends:

1. (a) That City Council give approval to the "Intent to Designate" St. Thomas Anglican Church at 16 West Avenue South as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983 as outlined in the Reasons for Designation attached hereto and marked as Appendix "A"; and,  
  
(b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.
2. That approval be given, pursuant to the provisions of the Ontario Heritage Act, 1983, for a two-storey rear addition to the former Princess Elizabeth School at 235 Bowman Street (now a Rabbinic Seminary) to accommodate a gymnasium, dining hall and additional residential accommodation, subject to the following conditions:
  - (a) Wall Construction  
  
Brick Masonry - rug brick to match existing as closely as possible in size, colour and texture.  
Trim - simulated stone or concrete to match existing stone trim.  
Rear Wall - the rear wall of the new addition would preferably be faced with the same brick as will be used on the side walls.
  - (b) Windows  
  
Same construction as original (steel sash) with similar proportions and detailing (i.e. multiple panes with slender muntin bars).

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(c) Treatment of Base

Base line of existing building to be followed and defined in a similar manner with concrete banding.

(d) Connection of Existing Building and New Addition

New addition to have a clear visual separation from the existing building, by means of a setback, door openings and fenestration, and, use of materials.

(e) Detailing

To echo detailing of original building, particularly through the use of concrete banding and brick soldier courses.

3. (a) That a purchase order be issued to McLean-Peister Limited, Kitchener, in the amount of \$450,000. including all taxes and a contingency allowance of \$41,145.89, to provide landscape improvements, Central/Beasley/P.R.I.D.E., New Beasley Park, being the lowest of six tenders received.
- (b) That this expenditure be financed through Central/Beasley/P.R.I.D.E. Account No. CF5200 429102003 (\$227,000.) and Central/Beasley/P.R.I.D.E. H.I.N.T. Account No. CF5100 429002003 (\$223,000.)
- (c) That a contract be entered into satisfactory to the City Solicitor.
4. (a) That, within the Westdale Village B.I.A., the first alley south of King Street West from Newton Street to approximately 22 metres westerly be paved under the Commercial Improvement Programme at an estimated cost of eight thousand, eight hundred dollars (\$8,800.) plus contingencies; and,
- (b) That the Commissioner of Transportation and Environmental Services be authorized to construct these works on behalf of the City of Hamilton, once all necessary approvals have been received.

5. (a) That the City of Hamilton accept the sum of \$12,642. as a cash payment in lieu of the 5% land dedication in connection with Kingsview Estates-Phase 1, Hamilton, being the cash payment required under Section 51 of the Planning Act.

The lands of Kingsview Estates-Phase 1 are located south of Mohawk Road and west of Upper Kenilworth Avenue in the Lisgar Neighbourhood.

- (b) That the City of Hamilton accept the sum of \$22,740. as a cash payment in lieu of the 5% land dedication in connection with Rymal Square Estates-Phase 1, Hamilton, being the cash payment required under Section 51 of the Planning Act.

The lands of Rymal Square Estates-Phase 1 are located south of Stone Church Road East and east of Upper Wentworth Street in the Butler Neighbourhood.

- (c) That the City of Hamilton accept the sum of \$33,000. as a cash payment in lieu of the 5% land dedication in connection with Rymal Square Estates-Phase 2, Hamilton, being the cash payment required under Section 51 of the Planning Act.

The lands of Rymal Square Estates-Phase 2 are located south of Stone Church Road East and east of Upper Wentworth Street in the Butler Neighbourhood.

6. That the Mayor and City Clerk be authorized to execute the necessary documents to release the property at 200 Nebo Road, Hamilton from the construction covenants to the City as contained in Instrument Number 61879 L.T., registered on 1977 September 15.
7. That a Designated Property Grant in the amount of one thousand and fourteen dollars (\$1,014.) be provided to Mr. Ian Bailey, 455 Bay Street North, Hamilton.
8. That a repayable loan under the Community Heritage Trust Fund in the amount of one thousand, four hundred and thirty dollars (\$1,430.) be approved for David W. Battrick, 150 Queen Street South, Hamilton. The interest rate will be six percent, amortized over 10 years; and,

That a Designated Property Grant in the amount of one thousand, four hundred and thirty-one dollars (\$1,431.) be provided to David W. Battrick, 150 Queen Street South, Hamilton.



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9. That a Commercial Facade Loan in the amount of thirty-nine thousand, six hundred and ten dollars (\$39,610.) be approved for Joseph Finocchio, 321-341 Ottawa Street North and 1078 Barton Street East, Hamilton. The interest rate will be 3-5/8 percent, amortized over 10 years.
10. That the Building Commissioner be authorized to issue demolition permits for the following:
  - (a) 492 Burlington Street East
  - (b) 208 Welbourn Drive
  - (c) 1505 Upper James Street
  - (d) 487 Burlington Street East
  - (e) 11 Holmes Avenue
  - (f) 13 Holmes Avenue
11. That the revised Terms of Reference for the Ferguson Avenue Redevelopment Advisory Committee, attached hereto and marked as Appendix "B", be adopted.
12.
  - (a) That Clause (A) in the Draft Plan of Subdivision Fontana Gardens condition be amended to delete the proposed walkway.
  - (b) That the Neighbourhood Park be amended to delete the proposed walkway.
13.
  - (a) That approval be given to Official Plan Amendment No. 112 to implement the Carpenter Neighbourhood Plan by redesignating lands located in the neighbourhood from: "Residential" to "Open Space"; "Residential" to "Major Institutional"; and "Residential" to Utilities on Schedule "A" Land Use Concept, and that the City Solicitor be directed to prepare a by-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
  - (b) That the proposed plan and policies for the Carpenter Neighbourhood forwarded to Council under separate cover, Appendix "C" be adopted by Council.
  - (c) That the Region be requested to proceed with the realignment of Upper Paradise in the Falkirk West Neighbourhood, in order to align with the proposed extension in the Carpenter Neighbourhood Plan.

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14. (a) That the report entitled Guidelines for an Integrated Central Business District: Focus Area prepared by John Mockrycke, Architect, be received;
- (b) That the Planning and Development Committee give authorization to hold a Public Information Meeting to consider the report Guidelines for an Integrated Central Business District: Focus Area prepared by John Mockrycke, Architect; and,
- (c) That staff examine appropriate mechanisms for implementation of the urban design suggestions contained in the report Guidelines for an Integrated Central Business District: Focus Area and report back to the Planning and Development Committee.
15. (a) That the City of Hamilton accept the offer of the owner of 11-13 Holmes Avenue to either relocate the existing building located on the property in its entirety or dismantle and store the building;
- (b) That staff be directed to report back to the Planning and Development Committee on potential sites to relocate the building or a location where it can be stored.
16. That the total outstanding Ontario Home Renewal Programme loan for Mr. J. Ramirex, 221 Fairleigh Avenue South, Hamilton, in the amount of \$1,583.84 be placed on the Tax Rolls.
17. That appropriate staff from the Building, Law and Planning Departments be directed to represent the City at the Ontario Municipal Board Hearing on 1992 June 28 for Committee of Adjustment Application A-91-65, No. 23 Lottridge Street. The denied application was to permit an existing converted two-family dwelling.
18. (a) That approval be given to City Initiative 82-Q, to provide for updating and clarification of Zoning By-law No. 6593, for the provisions identified in Appendix "D" (distributed to Council members under separate cover); and,
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,
- (c) That the proposed changes to the Zoning By-law are in conformity with the Official Plan for the Hamilton Planning Area.

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19. That approval be given to City Initiative 89-A to provide for amendments to Zoning By-law No. 6593, respecting the regulation of satellite dishes, on the following basis:
  - (a) That Section 2.(2)H of Zoning By-law No. 6593 be amended by adding the following definition of a satellite dish:
    - (vica) "Satellite dish" shall be defined as a concave directional antennae having a diameter of one metre or more which is used or intended to be used to send or receive signals to or from satellites.
  - (b) That Section 18 of Zoning By-law No. 6593 be amended by adding a new subsection to the following effect:

"Special Requirements for Satellite Dishes"

    - (13) Notwithstanding any other provision of this By-law, the following provisions shall apply to every satellite dish:
      - (1) Except as provided in paragraph (2), only one satellite dish shall be permitted on every lot in a residential district, and shall comply to the following:
        - a) located only in a rear yard;
        - b) set back a distance of not less than the diameter of the dish from every side and rear lot line;
        - c) a height not exceeding 4.5 m including the support structure;
      - (2) Satellite dishes shall be permitted and only located on the roof of a multiple dwelling or the roof of the principal building in a non-Residential District, and Section 2.(2)J.(ix) shall not apply to every such satellite dish.
  - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,
  - (d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

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20. That Zoning Application 91-57, Peter Georgakopoulos, owner, requesting a further modification to the established "M-12" (Prestige Industrial) District regulations, to permit a restaurant within the existing building, in addition to the existing catering and banquet facility, for the property located at 1050 Rymal Road East, as shown on the attached map marked as Appendix "E", be denied for the following reasons:
- (a) it conflicts with the intent of the "M" District Review which would permit such use in the "M-11" District only. In this regard, the proposal is premature pending the completion of the study;
  - (b) it represents an over overintensification of land use in that one hundred thirteen (113) parking spaces are required, however only sixty (60) parking spaces can be provided on site. Approval of the application would result in parking "spillover" problems onto surrounding properties and Rymal Road;
  - (c) approval of the application would encourage other similar applications which, if approved, would undermine the intent of the Zoning By-law; and,
  - (d) there appears to be an adequate supply of appropriately zoned lands in the Mountain Industrial Area where the proposed use could be located.
21. A. That approval be given to Zoning Application 92-13, Hillcrest Masonic Temple Corporation (Kenneth Schweitzer, President), owner, requesting a modification to the "C" (Urban Protected Residential, etc.) District, to permit the development of the subject lands for a lodge (masonic temple) only within the existing building, for the property located at 257 Mohawk Road West, as shown on the attached map marked as Appendix "F", on the following basis:
- (a) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-Law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
    - (i) That notwithstanding Section 9(1) of Zoning By-law No. 6593, a lodge (masonic temple) shall be permitted only within the existing building;
    - (ii) That notwithstanding Section 18A(1) of Zoning By-law No. 6593, a minimum of forty-one (41) parking spaces shall be provided and maintained on the subject lands;



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- (iii) That notwithstanding Section 18A(26), of Zoning By-law No. 6593, the access/egress driveway along the westerly property line shall be located not less than 1.5 m minimum from the common boundary with the residential district;
  - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1275, and that the subject lands on Zoning District Map W-9 be notated S-1275;
  - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9 for presentation to City Council;
  - (d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- (B) That Site Plan Control By-law No. 79-275, as amended by By-law 87-223, be amended by adding the subject Lands to Schedule "A".
- 22. That approval be given to amended Zoning Application ZA-92-15, 815488 Ontario Inc. (Nella Bradt), owner, requesting a further modification to the existing "DE-3" (Multiple Dwellings) District, to permit the development of the subject lands for four storey, 72 unit senior citizens multiple dwelling (retirement home with support services), for property located at 1489 to 1495 Upper Gage Avenue, as shown on the attached map marked as Appendix "G", on the following basis:
  - (a) That the "DE-3" (Multiple Dwellings) District regulations as set out under Section 10C of Zoning By-law No. 6593, as amended by By-law Nos. 87-118 and 90-71, applicable to the subject lands, be further modified to include the following variances as special requirements:
    - (i) That notwithstanding Section 2(2)A(viii) and Section 10C(1)(vi) of Zoning By-law 6593, a senior citizens multiple dwelling with not more than 72 housekeeping dwelling units shall be permitted;
    - (ii) That notwithstanding Section 10C(1) of Zoning By-law 6593;
      - (1.) a central kitchen, a common dining room and lounge area shall be permitted only in conjunction with a senior citizens multiple dwelling; and,

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- (2.) an indoor amenity area of not less than 140 m<sup>2</sup> shall be provided and maintained.
    - (iii) That notwithstanding Table 1 of Section 18A, a minimum of 40 parking spaces shall be provided and maintained for a senior citizens multiple dwelling not containing more than 72 housekeeping dwelling units; and,
    - (iv) That for the purposes of this By-law, a senior citizens multiple dwelling means a multiple dwelling within which all residents are at least 60 years of age or older.
  - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1009b, and that the subject lands on Zoning District Map E-49D be notated S-1009b;
  - (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593, as amended by By-law Nos. 87-118 and 90-71, and Zoning District Map E-49D for presentation to City Council; and,
  - (d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
23. (a) That approval be given to Zoning Application 91-82, Domenico DeRosa, owner, for a modification to the established "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations, to permit accessory parking on the lands shown as Block "1", and a further modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District to permit an expansion to the rear of the existing bakery located on the lands shown as Block "2", for properties located at 547 and 549 Wilson Street and 79 and 81 Sanford Avenue North, as shown on the attached map marked as Appendix "H", on the following basis:
- (i) That the "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593, applicable to Blocks "1" and "2", be modified to include the following variances as special requirements:
    - (1.) That notwithstanding Section 10(1) of By-law No. 6593 the following uses shall be permitted:

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(a) Industrial Use:

A bakery on Block "2"

(b) Commercial Use:

One business identification sign that is a window sign or a wall sign that complies with the following requirements:

- A. The total aggregate area of the sign shall not exceed 2.5 m<sup>2</sup>.
- B. The sign shall not be illuminated except by non-flashing indirect lighting.

(c) Accessory Use:

- A. A restaurant having a maximum seating capacity of 12 persons on Block "2".
- B. Parking area on Block "1".

- (2.) That notwithstanding Section 10(3)(i) of By-law No. 6593, a front yard of a depth of at least 3.0 m shall be provided and maintained for the building located on Block "2";
- (3.) That notwithstanding Section 10(3)(ii) of By-law No. 6593, a southerly side yard of a width of at least 0.10 m and a northerly side yard of 1.80 m shall be provided and maintained for the building located on Block "2";
- (4.) That a landscaped area in the form of four 7.0 m<sup>2</sup> triangles shall be provided and maintained along the westerly lot line of Block "1" adjacent to the four parking spaces;
- (5.) That a minimum 1.80 m high chain link fence shall be provided and maintained along the rear 8.5 m of the northerly lot line of No. 81 Sanford Avenue North (Block "2"), and along the rear 7.9 m of the easterly lot line of Block "1";

1992 June 30

- (6.) That a closed board fence not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the westerly and northerly lot lines of Block "1";
  - (7.) That pedestrian access to or egress from the rear addition to the bakery /restaurant use located on Block "2" shall be prohibited;
  - (8.) That outside storage of any kind shall be prohibited on Blocks "1" & "2";
  - (9.) Except for only a rear one storey addition, the exterior of the building known as No. 81 Sanford Avenue North shall not be altered;
  - (10.) That notwithstanding Section 18A(9) of By-law No. 6593, part of the 3 required parking spaces and manoeuvring spaces shall be permitted off the lot on which the principal use, building or structure is located.
- (ii) That By-law No. 85-231, applicable to a portion of the subject lands (Block "2") be repealed;
  - (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-1276, and that the subject lands on Zoning District Map E-22 be notated S-1276;
  - (iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-22 for presentation to City Council;
  - (v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
  - (vi) That the Gibson Neighbourhood Plan be amended by redesignating the subject lands from "Single and Double Residential" to "Commercial".
- (b) That By-law No. 79-275, as amended by By-law 87-223 be amended by adding Block "1" to Schedule "A".



24. That leave be granted to introduce the following Bills:

- (a) Bill C-60 A By-law to amend Zoning By-law No. 6593 respecting lands located north of Rockview Avenue, west of the proposed extension of Crerar Drive
- (b) Bill C-61 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 50 Christopher Drive
- (c) Bill C-62 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 90-227 respecting land located at Municipal No. 1492 Upper James Street
- (d) Bill C-63 A By-law to adopt Official Plan Amendment No. 111 respecting lands located between Garth Street, Stone Church Road West, West Fifth Street and Rymal Road West, within the Sheldon and Mewburn West Neighbourhoods
- (e) Bill C-64 A By-law to designate portions of the north east and west neighbourhoods as a Community Improvement Project Area
- (f) Bill C-65 A By-law to adopt Official Plan Amendment No. 112 respecting lands located north and east of the Hamilton City limits, south of Rymal Road West and west of the proposed Garth Street extension, within the Carpenter Neighbourhood
- (g) Bill C-66 A By-law to amend Zoning By-law No. 91-075 respecting the Central/Beasley Community Improvement Plan
- (h) Bill C-67 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law 90-311 respecting land located at Municipal No. 480 Rymal Road West
- (i) Bill C-68 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 323 and 325 Wentworth Street North
- (j) Bill C-69 A By-law to amend Zoning By-law No. 6593 respecting land located at the rear of Municipal No. 89 Stone Church Road East
- (k) Bill C-70 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 595 Rymal Road West

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- (l) Bill C-71 A By-law to amend Zoning By-law No. 6593 respecting lands located on the east side of Garth Street, in the area between Rymal Road West and Claudette Gate, municipally known as the southerly portion of No. 1605 Garth Street
- (m) Bill C-72 A By-law to amend Zoning By-law No. 6593 respecting "Housekeeping" amendments

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello  
Secretary  
1992 June 24**

1992 June 30

Appendix "A" referred  
to in Section 1 of the  
Eleventh Report of the  
Planning and Development  
Committee for 1992

## REASONS FOR DESIGNATION

### Church of St. Thomas, 16 West Avenue South

#### Context

The Church of St. Thomas, built in 1869-70, is located at the south-west corner of Main Street East and West Avenue South in the Stinson Neighbourhood. Although little remains along this section of Main East of the former streetscape of late 19th and early 20th century buildings, which once included First United Church, the Church of St. Thomas still serves as an important neighbourhood landmark. Today, the church presents its best appearance from West Avenue South, a residential street characterized by a pleasant mix of late Victorian housing, including the former 1870s brick rectory directly south of the church, and several early 20th century, low-rise apartments.

#### Architectural Significance

Designed by Hamilton architect, Albert H. Hills, the Church of St. Thomas is one of the city's major 19th century Gothic Revival churches and among the last to be constructed of stone. With its asymmetrical form featuring a square corner tower, this church is very similar in design to All Saints Anglican Church, erected three years later. Exterior additions to the original church include the Sunday School added to the rear in 1874 (now the parish hall), the upper section of the tower completed in 1883, and the extension of the chancel in 1908. These additions, all executed in stone with Gothic Revival detailing, together with the original church form a visually unified complex which has been preserved intact.

#### Historical Significance

Historically important as the third oldest Anglican Church in Hamilton, the parish of St. Thomas was founded in 1856 as a mission of Christ's Church to serve Anglicans from the city's growing east end. When the congregation outgrew its first church building, erected in 1857 at the corner of Wilson and Emerald Streets, the present church was built on land donated by Ebenezer Stinson.

#### Designated Features

Important to the preservation of the Church of St. Thomas are the original features of the north, south and east facades of the church proper, including the stone masonry walls, buttresses, chimneys and carved mouldings, the windows and stained glass, and the doorways. Excluded is the former Sunday School addition on the west side of the church.

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Appendix "B" referred  
to in Section 11 of the  
Eleventh Report of the  
Planning and Development  
Committee for 1992

**TERMS OF REFERENCE  
FOR THE  
FERGUSON AVENUE REDEVELOPMENT ADVISORY COMMITTEE  
OF THE  
CITY OF HAMILTON**

- PURPOSE:** To advise and make recommendations to the Planning and Development Committee of the City of Hamilton on the redevelopment of Ferguson Avenue. This committee will be established as a sub-committee of the Central Area Plan Implementation Committee and will report to the Planning and Development Committee directly.
- MANDATE:** The Committee is formed to facilitate the preparation of the terms of reference for the consultant study of Ferguson Avenue, to assist in the selection of the consultant, to provide feedback to the consultant as the work progresses, and to ensure the public participation component of the study. Specific issues to be examined are:
- Definition of the study area (i.e. Ferguson Avenue plus adjoining land - how far do the boundaries extend);
  - Goals and objectives of the study;
  - Terms of Reference for the work of the consultant.
- MEMBERSHIP:**
- Alderman, Ward 2;
  - One citizen member and one alternate member from:  
North End East Neighbourhood;  
Beasley Neighbourhood;  
Corktown Neighbourhood;  
Central/Beasley PRIDE H.I.N.T. Committee;  
International Village Business Improvement Area;  
Central/Beasley Neighbourhood Plan Review Committee  
(when formed);
  - One representative and one alternate member from CAPIC;
  - One representative and one alternate member from the Urban Design Committee.
- Other groups to be consulted where appropriate are:
- Centremount Neighbourhood Association
  - Barton General Business Improvement Area;
  - Cannon Street Business Association;



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- LACAC;
- Regional Bicycle Advisory Committee;
- Citizens for Citizens;
- Municipal Non-Profit Housing Corporation;

A Chairperson and Vice-Chairperson will be elected by the members.

Staff will consist of the coordinator (a staff person from the Public Works Department - Community Renewal) and support staff from the Planning and Development Department, Traffic Department, Culture and Recreation Department, Public Works Department, Engineering Department, and Property Department. Other staff, as necessary, will be used as information sources for the committee.

**QUORUM:**

A majority of members shall constitute a quorum.

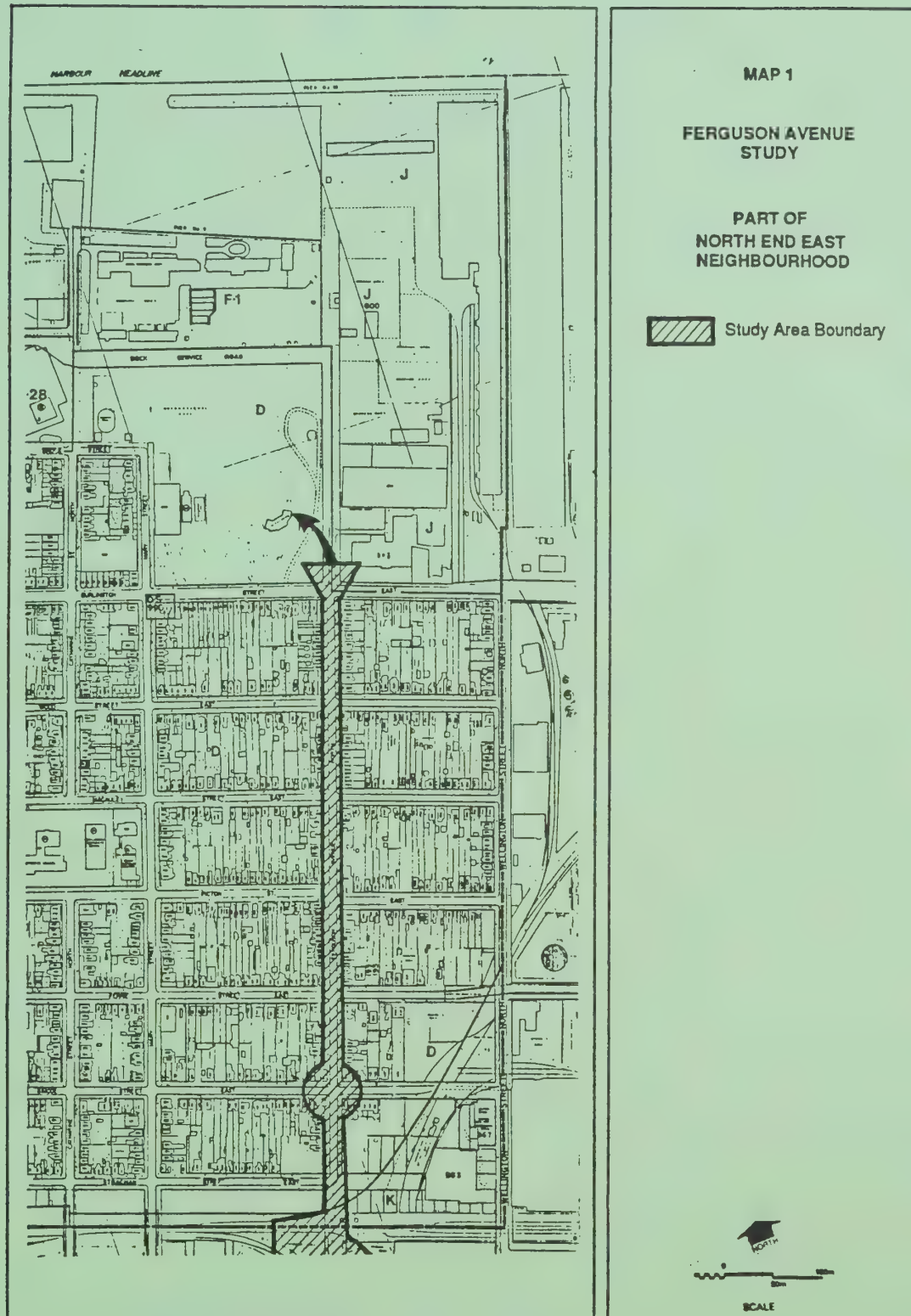
**MEETINGS:**

At the call of the Chairperson or as requested by a member of the Board through the Chairperson.

**REPORTING  
PROCEDURE:**

The Committee will be a sub-committee of CAPIC and will report directly to the Planning and Development Committee.

C-17

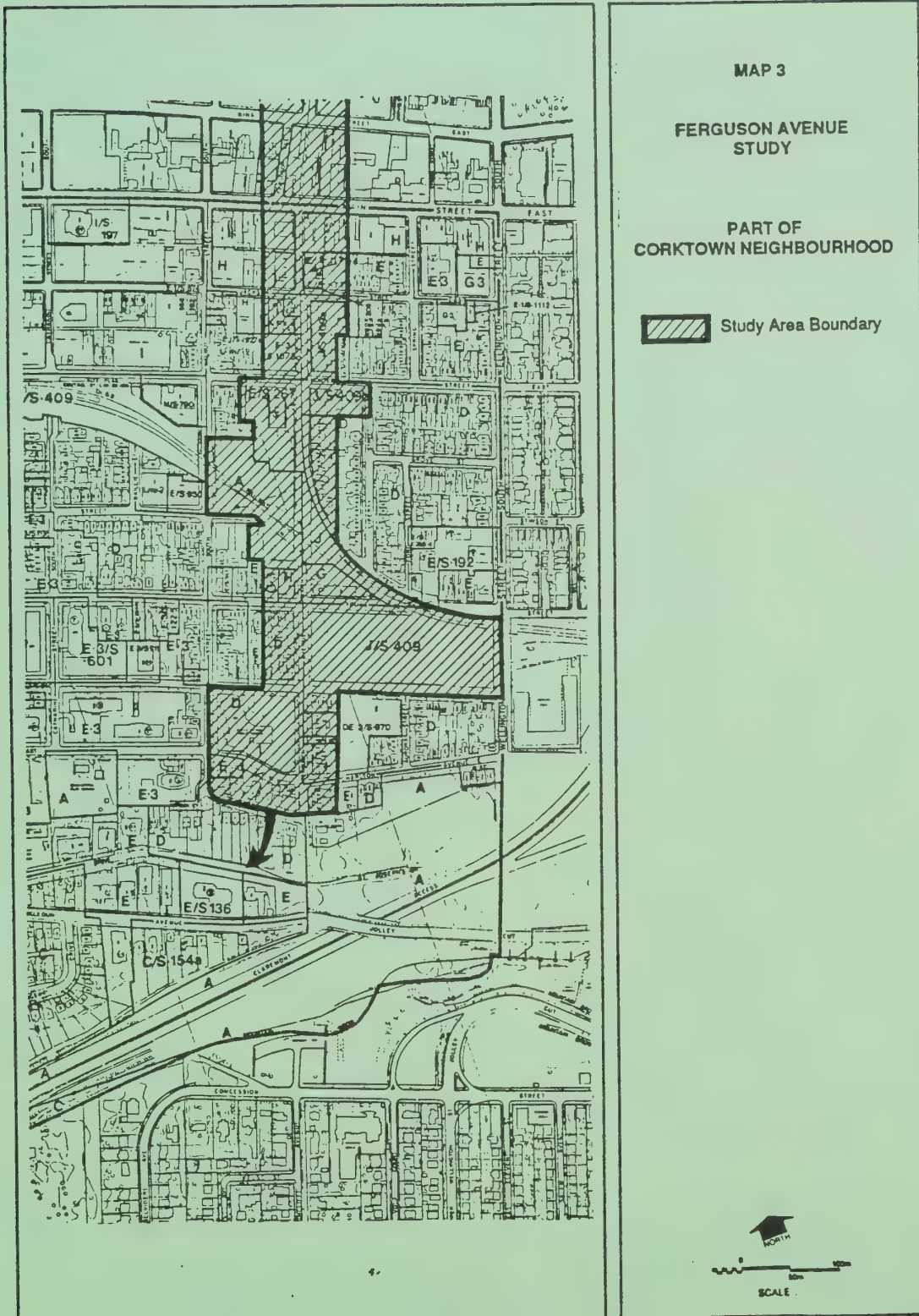


1992 June 30





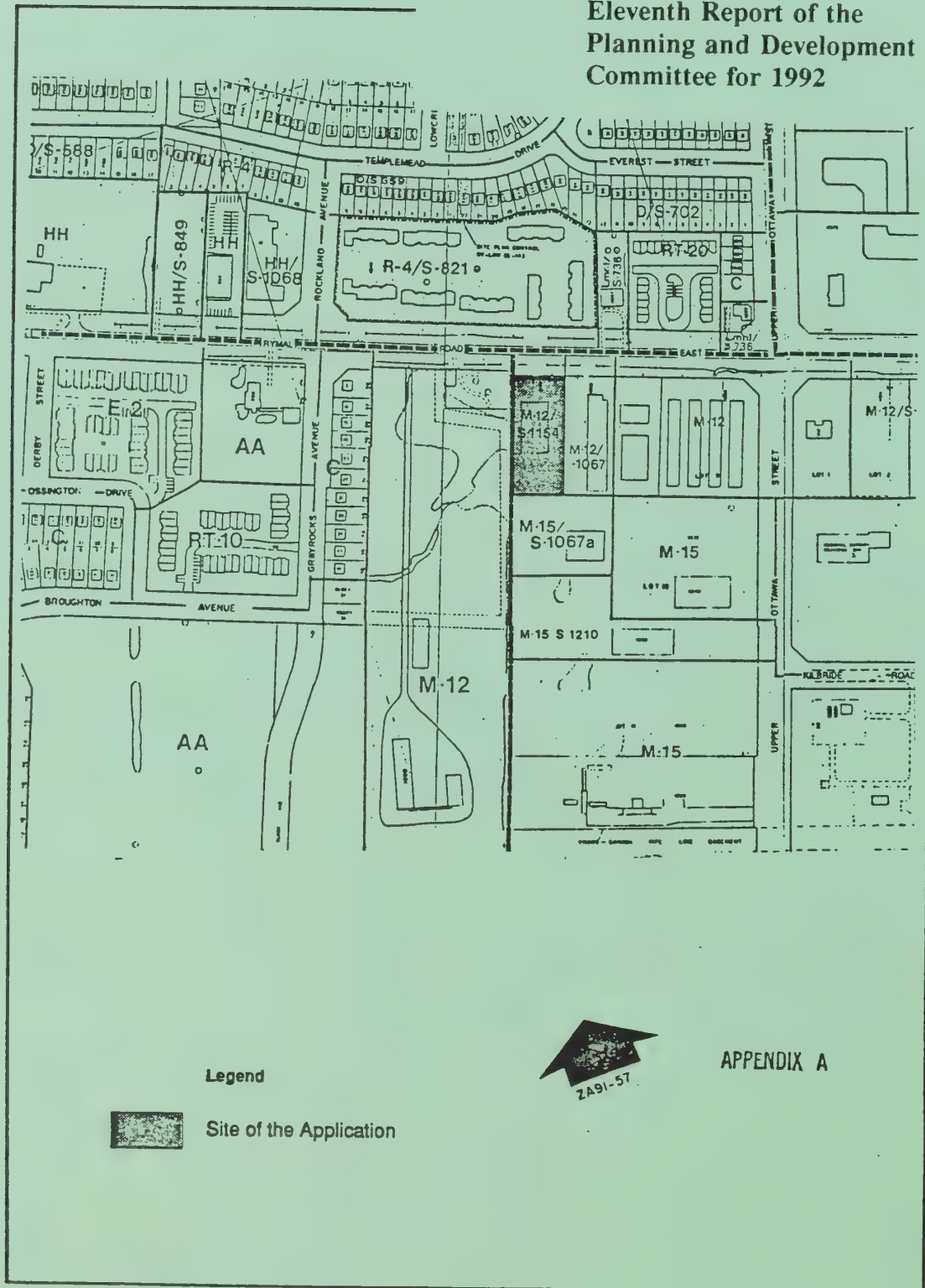
1992 June 30





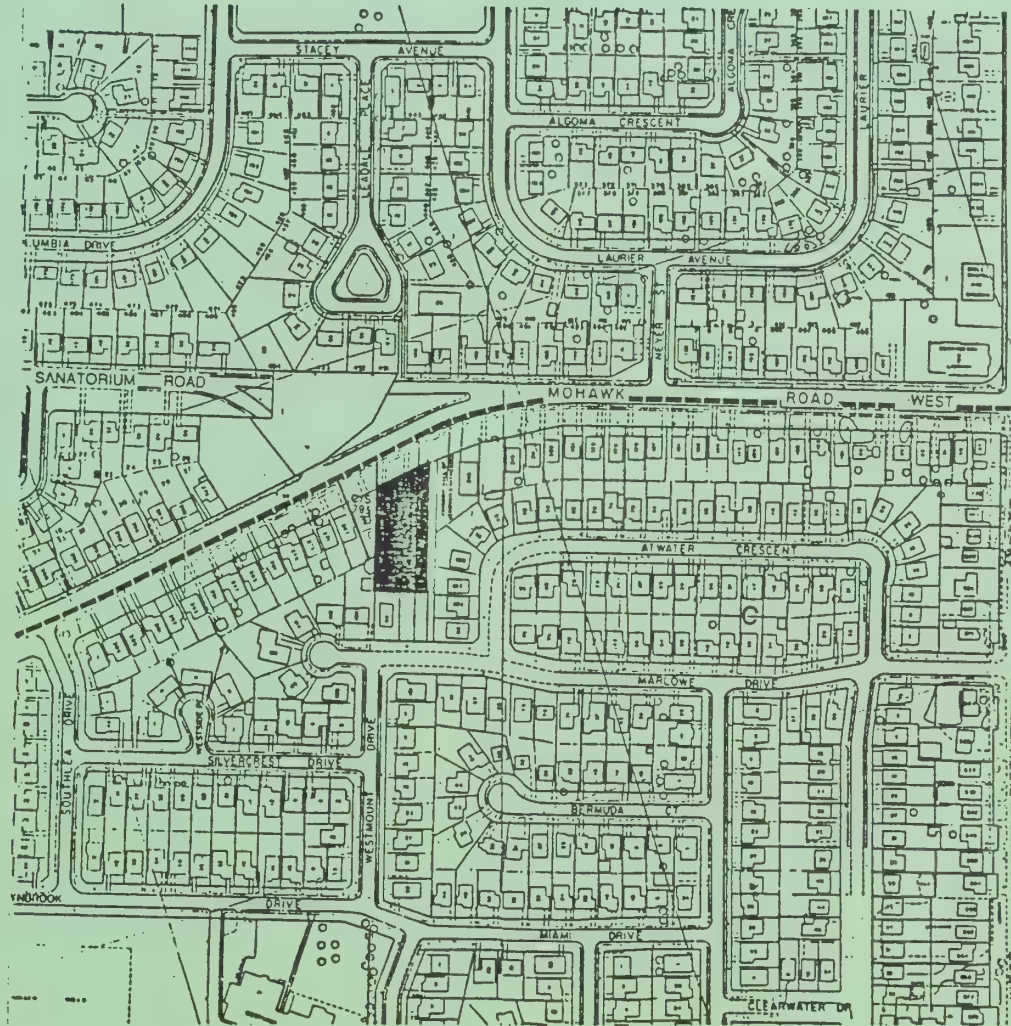
1992 June 30

Appendix "E" referred  
to in Section 20 of the  
Eleventh Report of the  
Planning and Development  
Committee for 1992



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Appendix "F" referred  
to in Section 21A of the  
Eleventh Report of the  
Planning and Development  
Committee for 1992



Legend

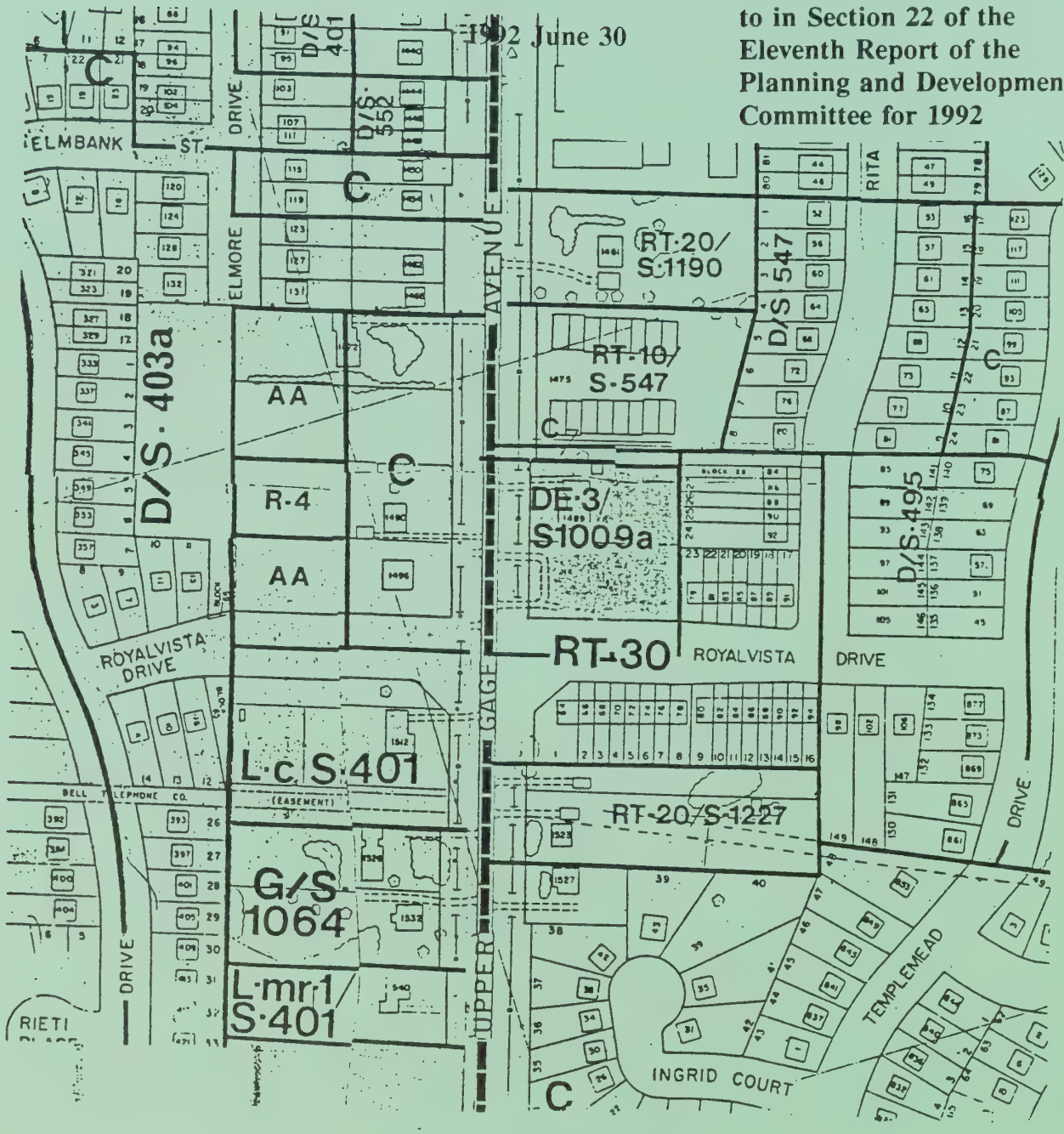


Site of the Application

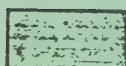


APPENDIX A

Appendix "G" referred  
to in Section 22 of the  
Eleventh Report of the  
Planning and Development  
Committee for 1992



Legend



Site of the Application

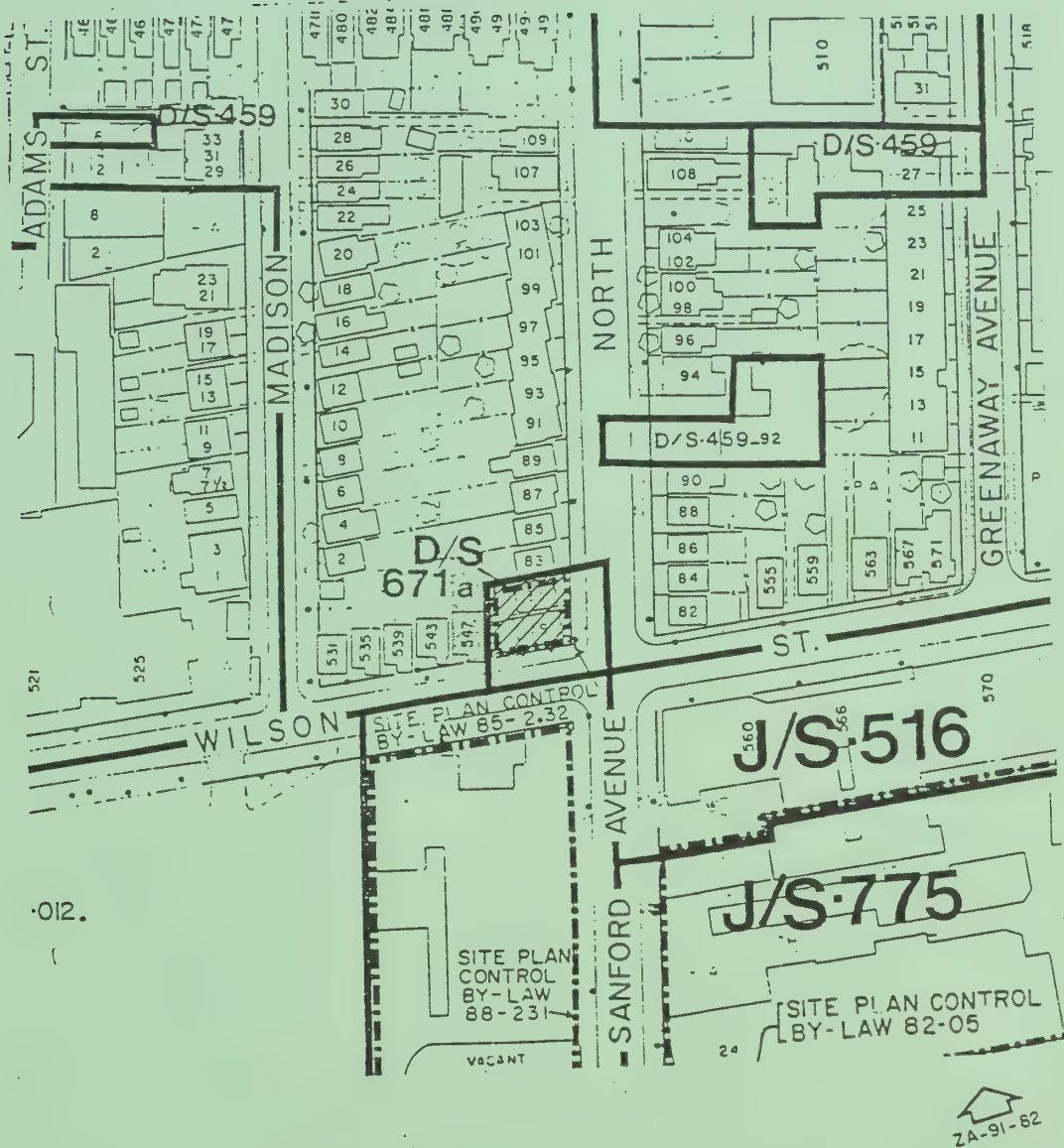


ZA-92-15





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Appendix "H" referred  
to in Section 23(a) of the  
Eleventh Report of the  
Planning and Development  
Committee for 1992



Legend

- BLOCK 1  Modification to the "D" (Urban Protected Residential-One and Two Family Dwellings, Townhouses, etc.) District regulations.
- BLOCK 2  Further modification to the "D" (Urban Protected Residential-One and Two Family Dwellings, Townhouses, etc.) District regulations.

APPENDIX A









1992 June 30

## REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FOURTEENTH** Report for 1992 and respectfully recommends:

1. (a) That a purchase order be issued to Demik Construction Limited, Hamilton, in the amount of \$57,459. including applicable taxes for renovations to Birge Pool, Birge Street, Hamilton, being the lowest of eight quotations received in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.
- (b) That this expenditure be financed through Operating Account No. CH56103 31330.
- (c) That, as this work is to commence as soon as possible to meet the scheduled opening date of 1992 June 22, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".
2. (a) That a purchase order be issued to A-Skylight Window Cleaning Company (1988) Ltd., Hamilton in the amount of \$93,000., plus G.S.T., to clean the interior and exterior windows of City Hall, the City Hall Garage, and the Football Hall of Fame and the exterior marble at City Hall during 1992, 1993 and 1994 with an option in favour of the City to extend for three additional one year terms, being the lowest tender submitted to meet specifications, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.
- (b) That these expenditures be financed through various approved Window Cleaning Accounts.



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3. That a purchase order be issued to Fabco Data Inc., Hamilton, for the supply and delivery of various computer and word processing supplies as and when required for a 12 month term, being the lowest of four tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through various approved accounts.
4. That a purchase order be issued to J. P. Hammill & Son Limited, Guelph, for the supply and delivery of fatigue uniforms as and when required during 1992 for the Hamilton Fire Department, being the lowest of three tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Uniforms, Clothing Account No. CH56104 48001.
5. That as referred to in Section 16 of the Eleventh Report of the Parks and Recreation Committee for 1992 and adopted by City Council on 1992 May 26th, the construction of two tennis courts and fencing at Gourley Park and the resurfacing of Rosedale Tennis Courts (4) at an estimated cost of \$42,800. be financed from the excess Reserve for Capital Projects funds remaining in the Huntington Tennis Court Renovation Account Centre No. 709154009 and the Huntington Tennis Court Account be closed.
6. That as referred to in Section 47 of the Seventh Report of the Transport and Environment Committee for 1992, the City's share of the cost of the construction of an independent concrete curb on the east side of Upper Kenilworth Avenue from Landron Avenue to Limeridge Road as a Local Improvement at an estimated cost of \$46,100. be financed from the 1992 Capital Levy.
7. That as referred to in Section 48 of the Seventh Report of the Transport and Environment Committee for 1992, the City's share of the cost of the construction of concrete sidewalks on the west side of West 33rd Street at the west end of Elmwood Avenue, and at the east end of South Bend Road East (north side) at the north end of Holt Avenue, as a Local Improvement at estimated costs of \$2,500. and \$2,860. respectively, to a total of \$5,360., be financed from the 1992 Capital Levy.
8.
  - (a) That approval be given to the action taken by the City Clerk in authorizing the Philippine Community to use the City Hall Council Chamber on Friday, 1992 June 12 from 4:00 - 5:00 p.m. for a Proclamation Ceremony to commemorate Philippine Independence Day.
  - (b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

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9. (a) That permission be granted to the McMaster Summer Drama Festival to place a sandwich board on the forecourt of City Hall from 1992 July 01 - August 04 inclusive to publicize the Second Annual McMaster Summer Drama Festival.  
  
(b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.
10. That permission be granted to the United Way Committee of the Regional Municipality of Hamilton-Wentworth to use the City Hall forecourt on Wednesday, 1992 July 15 from 11:00 a.m. - 2:30 p.m. for the Region's Annual United Way Barbecue.
11. (a) That approval be given to the action taken by the City Clerk in authorizing the Victorian Order of Nurses to use Meeting Room 233 for a "Homecoming" Reception on 1992 June 15 from 2:00 - 4:00 p.m.  
  
(b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.
12. (a) That permission be granted to the Women's Inter-Church Council to use the Council Chamber and Room 219 for the World Day of Prayer Service on 1993 March 05 from 11:30 a.m. to 4:30 p.m.  
  
(b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.
13. (a) That permission be granted to the Public Works Department to fly the Canadian Occupational Health & Safety Flag at City Hall from 1992 June 21 - 27 in recognition of Canadian Occupational Health & Safety Week.  
  
(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
14. (a) That permission be granted to the Boris Brott Summer Music Festival to use the City Hall forecourt from 1992 July 10 - August 21 to publicize the Fifth Annual Boris Brott Summer Music Festival.  
  
(b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

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15. (a) That approval be given to the action taken by the City Clerk in authorizing the Hamilton Brantford Building and Construction Trades Council of Ontario to use the forecourt on Saturday, 1992 June 20 at 9:00 a.m. for a Proclamation Ceremony to commence the DAD's Day Campaign (Dollars Against Diabetes).
- (b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.
16. (a) That permission be granted to the Hamilton Chapter of Project Ploughshares to use the Council Chambers on Sunday, 1992 August 09, at 2:00 p.m., for the Annual Memorial Observance of the Destruction of Hiroshima and Nagasaki, Japan.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
17. (a) That permission be granted to the Ontario Ministry of Health to use the Council Chambers on Wednesday, 1992 August 12 from 9:00 a.m. to 5:00 p.m., for the purpose of conducting public hearings on the Ontario Public Hospitals Act.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
18. That approval be given to the action of the City Clerk in authorizing the use of Room 233 and the east end second floor foyer on Saturday, 1992 June 27th from 10:30 a.m. - 12:30 noon and on Tuesday, 1992 June 30th from 2:00 - 4:00 p.m. by the Social Planning and Research Council - Settlement and Integration Services Advisory Committee.
19. That the Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1992 June 17, attached herewith and marked Appendix "A", be approved.



20. That the following constitute the Terms of Reference for the Hamilton Farmers' Market Sub-Committee:
  - (a) To maintain and increase the importance of the Hamilton Farmers' Market with local community, visitors, tourists and stallholders, as an integral part of the downtown core.
  - (b) To study, develop and make recommendations to maximize the potential viability and flow of goods and services.
  - (c) To liaise between stallholders and the City of Hamilton on matters relating to Market Operations and the Current Operating Budget.
21.
  - (a) That an Offer to Purchase by the City, duly executed by Thomas and Joan Russell on 1992 May 20 and scheduled for closing on or before 1992 August 5, for a portion of City owned property, composed of part of Parcel F, Plan 561, being more particularly described as having a length of 12.8 metres (42.1 feet) more or less, by a width of 12.9 metres (42.3 feet) more or less, being directly behind Lot 424 and part of Lot 423, Plan 561, known municipally as 159 East 34th Street, be approved and completed and the funds derived from this sale of \$1. be credited to Account Number CH 4X501 00102 (Sale of Land - Reserve for Property Purchases).
  - (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
22.
  - (a) That a lease be entered into between the Corporation of the City of Hamilton as Landlord, and the Social Planning and Research Council of Hamilton and District (S.P.R.C.) as tenant, in a form satisfactory to the City Solicitor, for the premises known as 255 West Avenue North (formerly West Avenue School) on the following terms and conditions, subject to ratification by the Board of Directors of the Social Planning and Research Council:
    - (i) a five (5) year, three (3) month term, commencing 1992 August 1, and terminating on 1997 October 31;



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- (ii) a rental payment of \$40,000. per annum (gross) or \$3,333.33 per month, commencing the earlier of 1992 November 1, or thirty (30) days after renovations are completed, and ending 1994 October 31; escalating to \$42,000. per annum (gross) or \$3,500. per month for the period 1994 November 1, to 1995 October 31; \$43,000. per annum (gross) or \$3,583.33 per month for the period 1995 November 1 to 1996 October 31; and \$44,000. per annum (gross) or \$3,666.67 per month for the period 1996 November 1 to 1997 October 31;
- (iii) the tenant shall have the right to renew the lease for a further five (5) year period, with the rate and terms to be mutually agreed upon, six (6) months prior to the expiry of the lease;
- (iv) the rental payments made by the S.P.R.C. to the City shall include all charges for heating fuel, electricity, water and sewer charges, realty taxes and building insurance;
- (v) the tenant (S.P.R.C.) shall be responsible for the payment to the City of any increase in the annual operating costs of the building referred to in (iv) above, which are in excess of the base year operating costs (1992 November 1 - 1993 October 31);
- (vi) the tenant shall be responsible for the payment of business taxes, if any, and all telephone charges;
- (vii) the demised premises shall only be used for the purpose of office space and for the purpose of establishing a Self Help Centre;
- (viii) the tenant shall not assign or sublet the demised premises without the approval of the Landlord which may be arbitrarily withheld. The Lessee may, without the approval of the City, sublease for a term not exceeding the term of this lease, the use of classroom/gymnasium space to Self Help Group Associations and other public/social/charitable agencies, on a semi-permanent or periodic basis;
- (ix) the tenant shall be responsible for undertaking and paying for its own tenants improvements to the space. Renovation plans shall be provided to the City for its approval prior to any work being undertaken. Approval shall not be unreasonably withheld. All such improvements shall vest in the City without compensation to the tenant on expiry or termination of the lease;

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- (x) the City shall be responsible for major structural improvements to the building which includes the outer walls, the roof, main electrical service with the exception of electrical upgrades necessitated by the tenant's occupancy, and the heating plant;
  - (xi) the tenant shall maintain its own comprehensive general liability insurance for the protection of the City in an amount satisfactory to the City;
  - (xii) snow removal from the parking lot and abutting sidewalks and grass cutting and weed control shall be the responsibility of the tenant;
  - (xiii) notwithstanding the lease includes the use of the parking lot adjacent to the building, the tenant agrees that eight (8) spaces may be allocated to neighbourhood residents for parking purposes on a permit basis by the City;
- (b) That the Mayor and City Clerk be authorized to execute the lease with the Social Planning and Research Council for use of 255 West Avenue School in a form satisfactory to the City Solicitor.
- (c) That the City Solicitor be authorized to submit the City's application to the Ontario Municipal Board, for approval to assume the City's financial expenses as Landlord, and that the proposed lease not commence until this approval is received.
23. That approval be given to request proposals to study the feasibility of installing a natural gas cogeneration engine at the Central Utilities Plant at an estimated cost of \$25,000. The feasibility study may qualify for a financial incentive, up to 50% of the study cost, from the Ministry of Energy.
24. (a) That the withdrawal of the low bidder, Finspan Construction Limited, 1015 Matheson Blvd., Unit #5, Mississauga, Ontario, be accepted. The lump sum price was quoted as \$258,000. (two hundred and fifty-eight thousand dollars).
- (b) That the bid bond from Finspan Construction Limited be referred to the City Solicitor.

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- (c) That a purchase order be issued to Memphis-Kendall Builders Inc., 1179-A King Street West, Studio 309, Toronto, Ontario, in the amount of \$355,654. (three hundred and fifty-five thousand, six hundred and fifty-four dollars) for the Data Centre renovations at Hamilton City Hall. This amount includes the estimated amount of \$22,654. (twenty-two thousand, six hundred and fifty-four dollars) for G.S.T.
  - (d) That approval be given to enter into a contract, satisfactory to the City Solicitor, with Memphis-Kendall Builders Inc., 1179-A King Street West, Studio 309, Toronto, Ontario, for the Data Centre renovations at Hamilton City Hall. The contract amount will be \$355,654. (lowest of remaining 11 bidders acceptable).
  - (e) That the Mayor and the City Clerk execute the contract on behalf of the City.
25. That the City of Hamilton pay one-third of the cost of hosting the banquet for the 1992 Canada Cup of Wrestling and Olympic Team at the Hamilton Convention Centre on 1992 July 1st. That one third of the cost would equal \$3,000. and that this amount be charged to the Special Civic Reception Hosting Account No. CH55314-84010. Private sponsors will pay the remaining two-thirds.
26. (a) That purchase orders be issued to provide caretaking services at various recreation centres during 1992, 1993, 1994, being the lowest acceptable of seven tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders and that these expenditures be financed through various approved accounts.

	Sept. 1 - Dec.31 <u>1992</u>	Jan.01 - Dec. 31 <u>1993</u> <u>1994</u>
<u>Part A</u>		
Alpha Cleaning Services, Hamilton	\$33,456.44	\$100,369.44   \$100,369.44
<u>Part B</u>		
Sunshine Building Maintenance, Burlington	\$36,932.62	\$111,061.08   \$112,059.24

Above prices include G.S.T. and reflect discounts allowed.

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(b) That these janitorial services be effective 1992 September 01.

27. That the following resolution from the Town of Ancaster respecting the Proposed New Provincial Labour Law be received:

WHEREAS independent economic studies have concluded that the proposed changes to Ontario labour legislation will increase job losses; and

WHEREAS they will cause a decline in investment in Ontario; and

WHEREAS they will seriously undermine the recovery and the maintenance of a sound economic environment in the province; and

WHEREAS they will prevent municipalities from providing essential services during a strike.

NOW, THEREFORE, BE IT RESOLVED:

THAT we, the Council and the Town of Ancaster, strongly urge that the Ontario Government declare a moratorium on any proposed changes to the labour legislation in the best interests of the people of Ontario, and

THAT a copy of this resolution be forwarded to the Hon. Bob Rae, Premier of Ontario; the Hon. Bob MacKenzie, Minister of Labour; our local M.P.P. Don Abel; leaders of the Ontario Liberal and Progressive Conservative parties; the Association of Municipalities of Ontario; and to the Councils of the Regional Municipality of Hamilton-Wentworth and the Area Municipalities, requesting their support.



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28. That the following resolution from the Corporation of the City of Brampton respecting Refugee Claimants be received:

WHEREAS the number of persons seeking refuge in Canada is increasing at an alarming rate;

WHEREAS the only requirement for a foreign person to qualify for refugee status is to land in Canada and claim to be a refugee;

WHEREAS Canada has the most liberal regulation of all the industrialized countries in dealing with refugee claimants;

WHEREAS Canada accepts the largest percentage of refugee claimants of any industrialized country: Canada 65%, Germany 5%, U.S.A. 15%, Britain 25%;

WHEREAS some of these successful refugee claimants are actually criminal element escaping justice in their own countries;

WHEREAS new arriving refugee claimants are totally supported by the Canadian tax payers up to two years before a hearing takes place to determine whether in fact they are refugees;

WHEREAS funds are diverted from traditional programs such as health and education to finance refugee support;

WHEREAS a number of these illegal refugee claimants are making a mockery of the Canadian legal system;

THEREFORE be it resolved that the Council of the City of Brampton petition our local M.P.'s and the Federal Government to revise the constitution to stop the uncontrolled flow of refugee claimants to Canada.

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29. (a) That the Equipment Depreciation Codes that indicate the life expectancy of various specified Fleet vehicles be adjusted as indicated on Table 1 entitled "Vehicle Depreciation - Amendments" attached herewith and marked Appendix "B", and
- (b) That the consolidated schedule of rates of depreciation, after amendments, as shown on Table 2 entitled "Vehicle Depreciation Codes" attached herewith and marked Appendix "C", be confirmed.
30. (a) That the Treasurer be authorized to call for proposals for an insurance consultant to examine the operations of City Departments, Local Boards, H.E.C.F.I. and City-Owned Companies, and:
  - (i) Recommend areas for which the City should self-insure;
  - (ii) Recommend areas for which the City should purchase insurance on the market to include types of insurance, coverage, deductibles, etc.;
  - (iii) Recommend the method by which the City should obtain insurance coverage, i.e. continue with Advisory Committee, public or selective tender, retain broker, etc.;
  - (iv) Study the Reserve for Uninsured Losses and recommend a level of funding for the Reserve in view of known claims where there is a possible liability and (i) and (ii) above;
  - (v) Assist in preparation and analysis of any Request for Proposals, if necessary, for the retention of a full service broker and/or for the purchase of insurance.
- (b) That the Treasurer be authorized to maintain existing insurance coverage to 1993 March 31, obtaining appropriate insurance policies (subject to cancellation).
31. That outstanding business taxes in the amount of \$163,572.97, be written off in accordance with Section 441 of The Municipal Act, R.S.O., 1990, and charged to Account CH53401-24106, Tax Write-Offs. Copies of the Schedule outlining these outstanding business taxes were presented to the Finance and Administration Committee and are available from the Committee Secretary upon request.

32. That in order to improve the collection of accounts from tenants of major park facilities and concession areas in future Agreements with the City:
- (a) A security deposit be required equal to the estimated annual revenues and any miscellaneous costs to be recovered by the City for the operation of the facility.
  - (b) The security be lodged with the City Treasurer prior to any use of the facilities by the tenant.
  - (c) The security be in the form of cash, certified cheque, letter of credit, or other instrument satisfactory to the City Treasurer.
  - (d) Billing processes be reviewed to ensure that the Treasury Department receive the information on a more timely basis in accordance with the Agreements or in accordance with the actual use of the facility if the Agreement has not been finalized.
33. (a) That as referred to in Section 17 of the Thirteenth Report of the Parks and Recreation Committee for 1992, the gross cost of the construction of a Senior Citizen's Centre at Sackville Hill Memorial Park be increased by \$194,000. from \$3,500,000. to \$3,694,000. to offset the cost for major capital fixtures.
- (b) That the City Solicitor be authorized to revise the Ontario Municipal Board approval No. E901383 dated 1991 February 8 for the above project by increasing the gross cost from \$3,500,000. to \$3,694,000. and reducing the debenture authority by \$281,000. (due to the receipt of a provincial grant of \$475,000.) from \$3,500,000. to \$3,219,000.

34. (a) That as referred to in Section 62 of the Seventh Report of the Transport and Environment Committee for 1992, the City's share of services for the following Subdivisions in the total amount of \$541,141.80 be financed from the Reserve for City's Share of Services through Unsubdivided Lands up to the amounts available and the remaining balance from the Reserve for Capital Projects:
- (i) Acadia Estates - City's share \$59,478.
  - (ii) Primecan Estates - City's share \$328,994.
  - (iii) Rymal Square Estates - Phase 2 - City's share \$13,576.80
  - (iv) Summerfield at the Orchards - City's share \$139,093.
- (b) That the City's share of the cost and financing of Sandrina Gardens - Phase 1 Subdivision be reduced from \$160,296. to \$55,941. and the balance of the financing in the amount of \$104,355. be transferred to the Reserve for City's Share of Services through Unsubdivided Lands.
- (c) That the City's share of the cost for compensation to owners (Benemar Construction Inc.) in the amount of \$160,000. for excess lands dedicated to the City for roadway purposes on Upper Wentworth Street which are beyond the maximum 26.0 metre width required by the City in the Gardens of Rymal - Phase 2 Subdivision be financed from the Reserve for Capital Projects.
35. That the City's Civic Awards Programme be amended to include the recognition of Hamilton residents who have been awarded with National or Provincial awards in cultural areas.
36. (a) That a civic gold ring be awarded to Dave King for winning the 1991 Enduro Super Veteran Class National Motorcycle Championship; and,
- (b) That a civic gold ring be awarded to Jamie Jones for winning the 1991 Senior Class National Motorcycle Championship; and,
- (c) That a diamond insert be awarded for a previously awarded civic ring to Helmut Clasen for winning the 1991 Veteran Class National Motorcycle Championship; and,
- (d) That a civic gold pin be awarded to Glen Morrison for winning the 1991 Enduro Senior Class Provincial Motorcycle Championship.



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37. That Civic gold rings be awarded to the following members of the Hamilton Aquatic Senior Men's Water Polo Team for winning the 1992 Senior Men's Tier II National Championship on 1992 April 27 - 29:

Ian Barrow  
Mike Carnegie  
Pat Carr  
Mitch Dent  
Scott Elms  
Quinn Fairley  
Chris Lovett  
Kirt Cushnie - Coach

Mark MacKenzie  
Andrew Nevills  
Jason Pudwill  
John Waldow  
Craig Waldram  
Bill West  
Geoff White  
Craig Dougherty - Coach

38. That civic silver pins be awarded to the following members of the Hamilton Aquatic Juvenile Men's Water Polo Team for winning the 1992 Provincial Championships held on 1992 April 10 - 12:

Kevin Button  
Michael Davis  
Quinn Fairley  
David Gauldie  
Joel Gunell  
David Holden  
Kurt Cushnie - Coach

Stephan Johnson  
David Lang  
Chris Lovett  
Daniel Orlic  
Mathew Whelan  
Craig Woods  
John Waldow - Coach

39. (a) That a civic gold ring be awarded to June Amlinger of the Hamilton and District Ten Pin Bowling Association for winning a gold medal in the trios event at the 1991 World Bowling Championships held in Singapore; and,  
(b) That a civic gold ring be awarded to Al Tone of the Hamilton and District Ten Pin Bowling Association for winning a gold medal in the 1991 Asian All Star Bowling Tournament held in Malaysia.

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40. (a) That civic silver pins be awarded to the following members of the Hamilton Transway Bantam "A" Basketball Team for winning the 1992 Provincial Championship held in London, Ontario:

Sheri Acciaroli (Coach)	Sarah Ireland
Megan Burney	Christina King
Kerri Byer	Joanne Lusted
Nadia Fortino	Jeanette Rusinak
Tara Henschel	Jaclyn Secore
Willy Henschel (Coach)	Maria Stangerlin

- (b) That civic silver pins and civic silver rings be awarded to the following members of the Hamilton Transway Bantam "AA" Basketball Team for winning the 1992 Provincial Championship held in London, Ontario, and the 1992 Brookwood International Championship held in Pierrefonds, Quebec:

Carrie Annable  
Tami Asquith  
Angela Papalia

- (c) That diamond inserts for previously awarded civic silver rings be awarded to the following members of the Hamilton Transway Bantam "AA" Basketball Team for winning the 1992 Brookwood International Basketball Championship held in Pierrefonds, Quebec:

Helena DiGregorio	Sonja Horyn
Lindsay Durham	Suzanne Millar
Rachel Ellison	Katherine McColl
Jayne Green	Carla Romano
Trena Humes	Katie Walton

- (d) That civic silver pins be awarded to the following members of the Hamilton Transway Midget Basketball Team for winning the 1992 Provincial Championship held in London, Ontario:

Colleen Barker	Kendra Hirst
Michelle Chabot (Coach)	Wendy Inkster
Lisa Ciancone (Coach)	Leanne McMurray
Jade DiBattista	Tracey Rowthorn
Alicia Gunn	

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- (e) That civic silver pins be awarded to the following members of the Hamilton Transway Midget Basketball Team for winning the 1992 Waterford International Championship held in Waterford, Michigan:

Colleen Barker  
Michelle Chabot (Coach)  
Lisa Ciancone (Coach)

Jade DiBattista  
Alicia Gunn  
Leanne McMurray

- (f) That diamond inserts for previously awarded civic silver rings be awarded to the following members of the Hamilton Transway Midget Basketball Team for winning the 1992 Waterford International Championship held in Waterford, Michigan:

Skye Angus  
Danielle Chabot  
Carrie Ciancone  
Kendra Hirst

Wendy Inkster  
Tracey Rowthorn  
Gina Tatti

41. That the following members of the Hamilton Synchronized Swim Team be awarded civic silver pins for winning the 1992 Ontario Trillium Provincial Championship in the "12 and under" team event:

Andrea Beattie  
Kim Beveridge  
Alicia Fawcett  
Sylvia Fawcett

Lyn Johnson  
Elly Kowalczyk  
Christine Korneluk  
Sarah Poole - Coach

42. That seven members of City Council be authorized to attend the 1992 Annual Conference of the Association of Municipalities of Ontario being held 1992 August 23-25 in Toronto, Ontario; and that the cost for this participation be charged to the Legislative Travel Account No. CH55201 10010.
43. That the application of Lakeport Brewing Corporation to the Liquor License Board of Ontario to permanently open its retail Cold Beer Store on Sundays at its plant at 201 Burlington Street East be endorsed.
44. That the application of the Wine Council of Ontario to the Liquor License Board of Ontario to permanently open numerous Winery Retail Stores on Sundays be endorsed.

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45. That, in accordance with Ontario Hydro's policy, the City forward letters of application received from Mary Lou Dingle and Michael Dale Parayeski to Ontario Hydro to assist them in making their citizen member appointment to the Hamilton Hydro Electric Commission.
46. That City Council consent to the use of the name "Hamilton" in the proposed incorporation of "Hamilton Against Poverty".
47. That approval be given to display the Cilio Dell Emigrante Racalmutese on the second floor foyer outside of the Mayor's Office until the end of 1992 August.
48.
  - (a) That an Alderman be appointed as Chairperson of the City Council Committee of the Whole on a three (3) month basis; and
  - (b) That the selection of the Alderman be recommended by the Nominating Committee; and
  - (c) That Sub-section 3 of Section 6 of the Procedural By-law which provides for the Acting Mayor to act as the Chairperson of the Committee of the Whole be amended accordingly. All other duties and responsibilities of the Acting Mayor to remain unchanged.
49. That the Hamilton Arena/Trade Centre Foundation Inc. be dissolved.
50. That approval be given to the Hamilton Public Library Board to enter into a new lease for a five year term with De Marchi Construction Ltd. for premises to be used as a Branch Library located at 502 James Street North, Hamilton, subject to approval of the Ontario Municipal Board.
51.
  - (a) That Mr. J. Pavelka, Director of Public Works, be appointed Chief Administrative Officer for the period 1992 July 1 through 1993 May 31 within the salary range "A" and that the City Solicitor be authorized and directed to amend the necessary by-laws, and that Mr. J. Pavelka be re-appointed as Director of Public Works, effective 1993 June 1.
  - (b) That Mr. D. Lobo, Manager of Streets and Sanitation, be appointed as Director of Public Works for the period 1992 July 1 through 1993 May 31 within the salary range "B" and that effective 1993 June 1 be re-appointed as Manager of Streets and Sanitation.



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- (c) That the additional savings in the amount of approximately \$75,000. be retained within the Department of Public Works to fund Continuous Improvement Projects whose goal is reductions within the 1993 Budget and the services of an engineer if required.
52. That the City of Hamilton make an Offer to Settle Ontario Court (General Division) Action 2732/87, in the following terms:
- (a) That the retaining wall between the properties municipally known as 760 and 766 Upper Paradise be replaced, in a manner and to a standard acceptable to the City, provided that any sunken portion of the property of the Plaintiffs, the Micallef's, adjacent to the retaining wall, be filled, graded and resodded, and a fence be constructed at least five feet in height along the lot line between 760 and 766 Upper Paradise Road.
  - (b) That the Plaintiffs, the John and Salvina Micallef, receive \$5,000. in satisfaction of all of their claims for damages, interest and legal costs.
  - (c) That the Plaintiffs, John and Salvina Micallef, provide to the Corporation of the City of Hamilton a Full and Final Release with respect to any and all causes of action now or in the future arising out of the lot grading on Lot 1 of Plan 62M-460 in the existence of a retaining wall between the addresses known municipally as 760 and 766 Upper Paradise Road in the City of Hamilton.
  - (d) That the City of Hamilton agree to replace the retaining wall when necessary in the future provided that:
    - (i) The owners of both 760 and 766 Upper Paradise provide the City of Hamilton with the easements necessary to enter onto their properties in future in order to carry out replacement or reconstruction of the wall, and
    - (ii) The City of Hamilton receive, or retain out of its share of the settlement funds, \$3,000. being the estimated present value of the replacement cost of the retaining wall.
  - (e) That the Plaintiffs, John and Salvina Micallef, consent to the dismissal of Ontario Court (General Division) Action No. 2732/87 as against the City of Hamilton without costs.

1992 June 30

- (f) That the City of Hamilton, DiCenzo Construction Limited and Steve Kozar Construction Limited contribute an equal amount, being \$6,666.67, to the resolution of the Action. (Cost of the new wall \$12,000., payment to the Plaintiffs \$5,000., present value of replacement of the wall in future \$3,000., total \$20,000.)
- (g) That provided all other requirements of the Subdivision Agreement have been complied with, and the retaining wall is completed, all actions, cross-claims and counter-claims as between the City of Hamilton, DiCenzo Construction Limited and Steve Kozar Construction Limited be dismissed without costs, and the City consent to the discharge of the Subdivision Agreement and the release of the securities held thereunder.

53. That leave be granted to introduce the following Bills:

- (a) Bill H-43      A By-law to amend By-law No. 90-074 respecting Development Charges.
- (b) Bill H-44      A By-law to amend By-law 79-323 respecting the Licensing of: Taxi Cabs and Livery Vehicles.
- (c) Bill H-45      A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. ROSS, CHAIRPERSON  
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder  
Secretary  
1992 June 25

1992 June 30

Appendix "A" referred to in Section 19 of the Fourteenth Report of the Finance and Administration Committee for 1992.

THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Albert Agostinelli	Captain	Fire	Retired	30 years, 8 months	30/06/92
Mr. William Aitken	Firefighter I	Fire	Retired	35 years, 11 months	30/06/92
Mr. Charles Bailey	Foreman II	Public Works	Retired	35 years, 10 months	29/05/92
Mr. Douglas Barbour	Firefighter I	Fire	Retired	32 years, 6 months	30/06/92
Mr. Fred Barker	Garbage Worker	Public Works	Resigned	14 years, 10 months	15/05/92
Mr. John Burjaw	Firefighter I	Fire	Retired	32 years, 11 months	30/06/92
Mr. Lawrence Choppick	Probationary Fire Inspector	Fire	Retired	30 years, 3 months	30/06/92
Mr. Larry Cooper	Captain	Fire	Retired	32 years, 11 months	30/06/92
Mr. George Cort	Firefighter I	Fire	Retired	30 years, 10 months	30/06/92
Mr. Bryan Cripps	Publicity Assistant	H.E.C.F.I.	Terminated	11 years	21/05/91
Mr. Orville Flear	Firefighter I	Fire	Retired	31 years, 11 months	30/06/92
Mr. Earl Grice	Firefighter I	Fire	Retired	30 years, 8 months	30/06/92
Mr. Derek Guiney	Lieutenant	Fire	Retired	30 years, 3 months	30/06/92

Prepared 17/06/92

THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. William Harris	Firefighter I	Fire	Retired	34 years	30/06/92
Mr. R. James Hill	Firefighter I	Fire	Retired	32 years, 3 months	30/06/92
Mr. William Killaly	Firefighter I	Fire	Retired	31 years, 2 months	30/06/92
Mr. Craig Lofthouse	Breath Application Technician	Fire	Retired	34 years, 2 months	30/06/92
Mr. Michael Lynch	Firefighter I	Fire	Retired	30 years, 10 months	30/06/92
Mr. David Sharkey	Firefighter I	Fire	Retired	32 years, 6 months	30/06/92
Mr. Sam Tallo	Firefighter I	Fire	Retired	33 years, 8 months	30/06/92
Mr. John Tosic	Sports Groundskeeper II	Public Works	Resigned	6 years, 1 months	22/05/92
Mr. Clark Wood	Firefighter I	Fire	Retired	31 years, 10 months	30/06/92
Mr. Larry Wootton	Lieutenant	Fire	Retired	30 years, 9 months	30/06/92

Prepared 17/06/92



## THE CORPORATION OF THE CITY OF HAMILTON

## APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Carol Alkana	Junior Payroll Clerk (10-F)	Treasury	Replacing Ms. D. Marsh - promoted	\$28,739.36 to \$31,238.48	08/06/92
Mr. Paul Baker	Traffic Servicemen/ Woman I (11-E)	Traffic	Replacing Mr. R. MacAulay - promoted	\$28,362.88 to \$31,493.28	04/05/92
Mr. Ronald Boutcher	Foreman/Woman III (13-C)	Public Works	Replacing Mr. J. Bovaird - promoted	\$34,876.40 to \$40,053.00	25/05/92
Mr. John Bovaird	Foreman/Woman II (12-C)	Public Works	Replacing Mr. A. Marshall - promoted	\$36,303.80 to \$43,354.48	25/05/92
Mr. Alexander Chowchun	Forester II (D-18)	Public Works	Replacing Mr. J. Virgulti - retired	\$34,717.28	03/06/92
Ms. Lynda Everets	Traffic Checker (8-A)	Traffic	Replacing Mr. M. Beauchamp - deceased	\$27,619.28 to \$30,363.84	01/06/92
Mr. Robert Gatto	Foreman/Woman III (13-C)	Public Works	Replacing Mr. B. Duckworth - lateral move	\$34,876.40 to \$40,053.00	15/06/92
Ms. Nancy Greenwood	Junior Accounts Payable Clerk (6)	Treasury	Replacing Ms. S. Lewis - promoted	\$24,413.48 to \$26,535.60	29/05/92

Prepared 17/06/92

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Garry Flynn	Traffic Serviceman/ Woman (11-E)	Traffic	Replacing Mr. J. Cosentino - promoted	\$28,362.88 to \$31,493.28	04/05/92
Ms. John Green	Gardener II (D-14A)	Public Works	Replacing Mr. A. Chowchun - promoted	\$33,660.64	04/05/92
Ms. Susan Lewis	Receipts Clerk I (13)	Treasury	Replacing Ms. A. Pirkas - promoted	\$30,594.20 to \$34,765.64	28/04/92
Ms. Deborah Marsh	Receipts Clerk III (11)	Treasury	Replacing Ms. A. Apkarian - promoted	\$29,882.52 to \$32,414.20	26/05/92
Mr. Manuel Raposo	Asphalt Raker (D-11)	Public Works	Replacing Mr. M. Korotash - resigned	\$33,292.48	11/05/92
Ms. Patti Sargent	Console Operator (16-H)	Information Systems	Replacing Mr. A. Hardy - promoted	\$32,621.68 to \$38,767.56	11/05/92
Mr. Karl Riland	Gardener II (D-14A)	Public Works	Replacing Mr. A. Sloggett - terminated	\$33,980.96	16/04/92
Ms. Marcia Utter	Gardener II (D-14A)	Public Works	Replacing Mr. R. Gadawski - promoted	\$33,660.64	25/05/92

Prepared 17/06/92

Appendix "B" referred  
to in Section 29(a) of the  
Fourteenth Report of the  
Finance and Administration  
Committee for 1992.

**TABLE 1**  
**VEHICLE DEPRECIATION - AMENDMENTS**

1992 June 5

\*\*\*\*\*  
**DEPRECIATION CODES**

A	- 33.33%	@ 3 YEARS	G	- 12.50 %	@ 8 YEARS
B	- 25.00%	@ 4 YEARS	H	- 11.00 %	@ 9 YEARS
C	- 25.00%	@ 4 YEARS	I	- 10.00 %	@ 10 YEARS
D	- 20.00%	@ 5 YEARS	J	- 6.67 %	@ 15 YEARS
E	- 16.67%	@ 6 YEARS	K	- 8.33 %	@ 12 YEARS
F	- 14.30%	@ 7 YEARS			

	<u>CURRENT</u>	<u>PROPOSED</u>
AERIAL TRUCK FORESTRY	D - 5 YEARS	E - 6 YEARS
AUGER (inc Renegade Crane)	E - 6 YEARS	F - 7 YEARS
BACK HOE LOADER	E - 6 YEARS	G - 8 YEARS
BLOWER SNOW ATTACHMENT TYPE	G - 8 YEARS	I - 10 YEARS
BLOWER SNOW - LOADER MTD.	K - 12 YEARS	J - 15 YEARS
BLOWER SNOW - WALK BEHIND	G - 8 YEARS	I - 10 YEARS
BROOM - FRONT, HYDRAULIC	G - 8 YEARS	I - 10 YEARS
COMPRESSOR - AIR	F - 7 YEARS	I - 10 YEARS
MIXER - CEMENT	I - 10 YEARS	K - 12 YEARS
OVERSEEDER	I - 10 YEARS	J - 15 YEARS
PACKER - GARBAGE REAR LOADER	D - 5 YEARS	E - 6 YEARS
PACKER - GARBAGE SIDE LOADER	E - 6 YEARS	I - 10 YEARS
PAVEMENT MARKER	E - 6 YEARS	F - 7 YEARS
PLATFORM TRUCK - SIGN TRUCK	E - 6 YEARS	F - 7 YEARS
PRESSURE WASHER - STATIONARY	G - 8 YEARS	I - 10 YEARS
RODDING MACHINE (SEWER)	D - 5 YEARS	E - 6 YEARS
SERVICE BODY TRUCK	E - 6 YEARS	F - 7 YEARS
SKI- DOZER, BOMBARDIER	I - 10 YEARS	K - 12 YEARS
SPREADER (VICON)	E - 6 YEARS	I - 10 YEARS

Appendix "C" referred  
to in Section 29(b) of the  
Fourteenth Report of the  
Finance and Administration  
Committee for 1992.

TABLE 2

## VEHICLE DEPRECIATION CODES

1992 June

DEPRECIATION CODE	MOTORIZED EQUIPMENT CLASSIFICATIONS	DEPRECIATION RATES
A	BLOWER LEAF BACK PACK, MOWER - HAND PUSH, ROTOTILLER - SMALL LIGHT DUTY, WEDEATER	33 1/3% FOR 3 YEARS
B	AUTOMOBILES	25% FOR 4 YEARS
C	BREAKER - PAVEMENT, MOWER - PTO DRIVEN, SAW - HAND HELD INC. CHAIN SAW, TAMPER - JOLLEY JUMPER	25% FOR 4 YEARS
D	AUTOMOBILE FLEET SERVICE, PRESSURE WASHER - PORTABLE	20% FOR 5 YEARS
E	AERIAL TRUCK FORESTRY, AERIAL TRUCK TRAFFIC, AERIAL TRUCK TRAFFIC (one man lift 9021) DUMP TRUCK - STAKE OR STEEL, MOWER - GANG PULL BEHIND, MOWER - RIDING, GREENS OR ROTARY, MOWER - RIDING, ALL HYD GANG, PACKER - GARBAGE REAR LOADER, PLANER - WALK BEHIND, RAKE - POWER OPERATED, RODDING MACHINE (SEWER), ROTOTILLER - HEAVY DUTY SAW - MOBILE INC. CONCRETE, STUMPER - WALK BEHIND, VACUUM UNIT - PUSH TYPE (Elph Vac)	16 2/3% FOR 6 YEARS
F	AMT (all terrain & golf cart), AUGER (inc Renegade Crane), HOT POT - TAR KETTLE, ICE EDGER, PAVEMENT MARKER, PICK UP TRUCK, PLANER - BOBCAT MTD., PLATFORM TRUCK - SIGN TRUCK, SERVICE BODY TRUCK, SWEEPER - SMALL AND FULL SIZE, VAN	14.3% FOR 7 YEARS
G	BACK HOE LOADER, CATCH BASIN CLEANER - VAC ALL, CHIPPER, DUMP TRUCK - FULL SIZE, FLUSHER, GENERATOR, SANDER - TRUCK, TWO WAY, STUMPER - TREE (full size), TRACTOR - COMPACT Under 50 hp, TRACTOR - FULL SIZE TRACTOR - FRONT END LOADER, ZAMBONIS	12 1/2% FOR 8 YEARS
H	NONE	11% FOR 9 YEARS
I	AERATOR, BLOWER LEAF PTO & WALK BEHIND, BLOWER SNOW ATTACHMENT TYPE, BLOWER SNOW - WALK BEHIND, BOBCAT - LIFT TRUCK, BROOM - FRONT HYDRAULIC, COMPRESSOR - AIR, GROOMER - BALL DIAMOND, HOIST TRUCK, LUGGER, OIL DISTRIBUTING TRUCK, PACKER - GARBAGE SIDE LOADER, PAINT TRUCK TRAFFIC, PRESSURE WASHER - STATIONARY, ROLLER - ASPHALT, WALK BEHIND & LAWN, SANDER - SIDEWALK, SNOW MOBILE (SKI DOO), SPRAYER - TREE, WEED, TOW BEHIND, SPEADER (VICON), SPREADER - STONE CHIP, TOP DRESSER, TRACTOR - LG ARTICULATING LOADER, TRAILERS - ALL, SIGN - ARROW BOARD, WATER PUMP - PORTABLE OR TRUCK MOUNTED	10% FOR 10 YEARS
J	ASPHALT SPREADER, BLOWER SNOW - LOADER MTD., BLOWER SNOW - LG. MOBILE, COMPACTOR, LOG SPLITTER, OVERSEEDER, ROLLER - ASPHALT/RIDING	6 2/3% FOR 15 YEARS
K	MIXER - CEMENT, SKIDOZER - BOMBARDIER, TRENCHER	8.33% FOR 12 YEARS





URBAN MUNICIPAL

JUN 30 1992

GOVERNMENT DOCUMENTS

**BILLS**

**CITY COUNCIL**

**1992 June 30**



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

TO INCORPORATE 14, PLAN 62R-12134, PART 5,  
PLAN 62R-12134, PART 1, PLAN 62R-12134, AND  
PART 21, PLAN 62R-12134 INTO HARBOUR FRONT DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Harbour Front Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Harbour Front Drive.

Firstly

Part of Lots 2,3,4,5,7 & 8, Block 33, Part of Lots 2 and 3, block 34, and part of Marsh Street (Closed by City of Hamilton By-Law No. 67283, registered as Inst. 67867 A.B.), designated as Part 14, Plan 62R-12134.

Secondly

Parts of Simcoe Street lying west of Bay Street (Closed by City of Hamilton By-Law 92-133, registered as Inst. No. 119657 (92), designated as Part 5, Plan 62R-12134.

Thirdly

Part of Lots 6,7,8,9,10 and 11, Block 35, designated as Part 1, Plan 62R-12134

All in Registered Plan No. 127, and

Fourthly

Part of the Water Lot in front of Block 34, designated as Part 21, Plan 62R-12134.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1992.

J. J. Schatz  
City Clerk

R. Morrow  
Mayor



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

TO INCORPORATE PART 3, PLAN W.H.R. -89  
INTO GREENHILL AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Greenhill Avenue by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Greenhill Avenue.

Parcel 71-4  
Section M-3

Part of Lot 71, Plan M-3, designated as Part 3 on Plan W.H.R. -89.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Being part of the Parcel.

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1992.

J. J. Schatz  
City Clerk

R. Morrow  
Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

TO INCORPORATE PARTS 1 TO 11 (incl.), & PARTS 26,  
27 & 28, PLAN 62R-12060, PARTS 12,13,14, PLAN  
62R-12060, PARTS 15,16,17, PLAN 62R-12060 AND  
PART 29, PLAN 62R-12060 INTO CHEDMAC DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Chedmac Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Chedmac Drive.

Firstly

Parts of Lot 57, Concession 2, designated as Parts 1 to 11 (inclusive) and Parts 26, 27 and 28, Plan 62R-12060,

Secondly

Parts of Lots 56 and 57, Concession 2, designated as Parts 12,13 and 14, Plan 62R-12060,

Thirdly

Parts of Lot 56, Concession 2, designated as Parts 15,16 and 17, Plan 62R-12060, and

Fourthly

Part of Lots 238, 239, 240 and 241, Registered Plan No. 575 and part of Lot 57, Concession 2, designated as Part 29, Plan 62R-12060.

All in the former geographic Township of Ancaster

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1992.

J. J. Schatz  
City Clerk

R. Morrow  
Mayor

**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 92-**

**TO INCORPORATE PART 2, PLAN 62R-11979  
INTO MILLWOOD PLACE**

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Millwood Place by incorporating within its limits the lands described below;

**AND WHEREAS** the said lands are owned by The Corporation of the City of Hamilton.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Millwood Place.

Part of Lot 11, Concession 6, (former geographic Township of Barton) and Reserve "B", Registered Plan No. 1209, designated as Part 2, Plan 62R-11979.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

**PASSED** this                      day of                      A.D. 1992.

J. J. Schatz  
City Clerk

R. Morrow  
Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

TO INCORPORATE PART 4, PLAN 62R-11979  
INTO PUBLIC WALKWAY

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as public walkway by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of public walkway.

Part of Lot 11, Concession 6, (former geographic Township of Barton) designated as Part 4, Plan 62R-11979.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1992.

J. J. Schatz  
City Clerk

R. Morrow  
Mayor



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

TO INCORPORATE PARTS 2,3,6,8,10,12,14,17 & 20,  
PLAN 62R11054 AND PARTS 3 & 5, PLAN 62R-11929  
INTO FIELDWAY DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Fieldway Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Fieldway Drive.

Part of Lot 11, Concession 6, (former geographic Township of Barton) designated as Parts 2,3,6,8,10,12,14,17 and 20, Plan 62R-11054 and Parts 3 and 5, Plan 62R-11929.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1992.

J. J. Schatz  
City Clerk

R. Morrow  
Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

TO INCORPORATE PART 14, PLAN 62R-9499  
INTO DONN AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Donn Avenue by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Donn Avenue.

Part of Lot 24, Concession 2, (former geographic Township of Saltfleet), designated as Part 14 on Plan 62R-9499.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1992.

J. J. Schatz  
City Clerk

R. Morrow  
Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

TO INCORPORATE PARTS 28 & 1, PLAN 62R-11096  
AND PART 13, PLAN 62R-11096 INTO ACADIA DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Acadia Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Acadia Drive.

Firstly

Part of Lots 3 and 4, Registered Plan No. 909, designated as Parts 28 and 1 (respectively), Plan 62R-11096, and

Secondly

Part of Lot 9, Concession 8, (in the former geographic Township of Barton), designated as Part 13, Plan 62R-11096.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1992.

J. J. Schatz  
City Clerk

R. Morrow  
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 92-

Respecting:

**TREES**

Preamble

WHEREAS the City of Hamilton, pursuant to paragraph 52 of Section 207 of the Municipal Act, R.S.O. 1990, Chapter M.45, may by by-law exercise any of the powers that are conferred on boards of park management by the Public Parks Act, R.S.O. 1990, Chapter P.46, following dissolution of the Board of Park Management on December 31, 1973, pursuant to Section 136 of the Regional Municipality of Hamilton-Wentworth Act, 1973;

AND WHEREAS the City, pursuant to subsection 3(1) of the Public Parks Act, R.S.O. 1990, Chapter P.46, has the general management, regulation and control of existing parks and is empowered under subsection 11(1) of the Act to pass by-laws for the use, regulation, protection and government of parks;

AND WHEREAS the City, pursuant to paragraph 58 of Section 207 of the Municipal Act may by by-law maintain, operate or manage parks;

AND WHEREAS the City, pursuant to section 312 of the Municipal Act may pass by-laws respecting trees growing on highways.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

Definitions

1. (a) "City" means the City of Hamilton;
- (b) "Director" means the Director of Public Works of the City;
- (c) "drip line" means the outer boundary of an area on the surface of the ground that corresponds to the outer edge of the crown of the tree;
- (d) "owner" includes tenant, occupant, or person apparently in control of the premises but does not include the City or a Local Board;
- (e) "person" includes individual, contractor, corporation, commission, firm, partnership or organization of any kind, or their employee or agents but does not include the Director;
- (f) "private property" means land other than public property;
- (g) "private tree" means any tree which has more than 50 percent of its trunk diameter measured at diameter breast height on private property;



- (h) "public assumed alley" means a lane or alley paved by the City under the Local Improvement Act, or assumed by by-law;
- (i) "public property" includes a highway, park, public unassumed alley, or any other public place or land owned by or leased to or controlled by or vested in the City or local board;
- (j) "public tree" means a tree which has more than 50 percent of its trunk diameter measured at diameter breast height on public property;
- (k) "tree" includes all woody vegetation.

Prohibited  
Species

2. No tree of the species listed in Schedule "A" hereto annexed shall be planted upon public property unless authorized by the Director.

Planting  
Public  
Property

3. (1) Any person may, with the consent of the Director, plant a shade or ornamental tree on public property.

(2) Any tree planted in accordance with subsection 3(1) is the property of the City and is deemed to be a public tree and is subject to all terms and conditions as set out in this by-law.

Request For  
Public Tree  
Planting

4. (1) The City may, upon request of the owner, plant shade or ornamental trees on public property adjacent to the property of the owner of the private property.

(2) Any tree planted in accordance with subsection 4(1) is planted at the City's expense.

(3) Any tree planted in accordance with subsection 4(1) is the property of the City and is a public tree.

Removal of  
Public Trees

5. (1) The Director may authorize the removal of any public tree when it is considered necessary in the public interest.

Public  
Interest

(2) For the purpose of subsection 5(1), "necessary in the public interest" includes removal for one or more of the following reasons:

- (i) A tree is decayed in whole or in part.
- (ii) A tree that presents a hazard or potential hazard in whole or in part to persons or property.
- (iii) A tree that is diseased or is a source of disease.
- (iv) A tree that is a source of any causal organism or a disease which may endanger the health of any plants.

Notice Of  
Removal

6. (1) Except as provided in subsection 6(2), no public tree growing on a highway shall be removed without prior notification being given to the abutting property owner.

(2) Notification of public tree removal may be waived by the Director in an emergency situation where a public tree endangers public health, or public or private property.

(3) The Notice required to be given by subsection 6(1), may be given by leaving it with a person who appears to be over 18 years of age residing on the land or if personal contact is not possible, by posting it in a conspicuous place on the land.

Removal Of  
Public Tree

7. (1) The Director must have City Council approval to authorize the removal of any public tree, except:

- (i) in an emergency situation where a public tree endangers public health or public or private properties or,
- (ii) where the removal of a public tree is necessary in the public interest as defined in section 5(2).

City Council  
Approval

(2) City Council may only under exceptional circumstances, approve the removal of a healthy public tree which is not causing any damage to public or private property.

Additional  
Costs

(3) The Director may determine the location and tree species of the replacement tree for the tree removed under subsection (2).

Prohibitions  
Against Injury  
Or Destruction

8. No person shall, without prior written consent of the Director,

- (i) Remove, prune, disturb, cut above or below ground, or alter in any way on public property, a public tree;
- (ii) Deposit, place, store or maintain on public property any stone, brick, sand, concrete, soil or any material or equipment that may impede the free passage of water, air or nutrients to the roots of a public tree;
- (iii) Fasten any sign, bill, notice, wire, rope, nail or other object to, around or through any public tree in any manner; or around or through the stakes, posts that protect any such tree;
- (iv) Cause or permit any gaseous liquid or solid substance which is harmful or toxic to any public tree, to come in contact with any public tree on public property;
- (v) Set fire to or permit any fire to burn where such fire or the heat thereof will injure any portion of any public trees;
- (vi) Interfere with fences, boxes or other protective devices placed around any public tree;

- (vii) Alter or change soil levels on public property in the vicinity of any public tree in a manner likely to cause injury to the tree;
- (viii) Excavate any ditch, tunnel, trench, or lay any walkway or driveway on public property within the drip line of a public tree;
- (ix) Cause or permit or perform any excavation or soil disturbance or compaction on public property within the drip line of any public tree.

Permit  
Required

9. (1) A person who intends to do or cause to be done any construction or excavation that may, or is likely to injure a public tree, shall obtain a permit from the Director and shall also deposit the sum of \$200.00. The deposit shall be returned to the applicant if the tree is not injured or damaged, otherwise, the deposit shall be retained by the City and such person shall pay any additional costs for repairing the tree or removing and replacing the tree if the tree is damaged beyond repair.

(2) After receiving any required City or Regional Municipality of Hamilton-Wentworth approval(s) under the Building Code Act, or any other Act, or any by-law, any person who intends to construct or cause to be constructed a walkway, driveway, building or structure within the dripline of a public tree on public property, shall obtain a permit from the Director and shall also deposit the sum of \$200.00. The deposit shall be returned to the applicant if the tree is not injured or damaged, otherwise, the deposit shall be retained by the City and such person shall pay any additional costs for repairing the tree or removing and replacing the tree if the tree is damaged beyond repair.

(3) Any person constructing, excavating or demolishing on public or private property within the dripline of a public tree, shall follow the instructions given by the Director to preserve and protect the public trees.

Removal of a  
Public Tree

10. (1) Any person wanting to have a public tree on public property removed, shall apply to the Director for a removal permit and shall also deposit the sum of \$200.00.

(2) If the permit is granted by City Council under section 7, the person applying for the permit shall pay the City the cost of removing the tree plus the cash value of the tree as established by the Ontario Shade Tree Council and the International Society of Arboriculture-Canada Inc.

(3) When the applicant has,

- (i) paid the City the cost of removing and replacing the tree, and



- (ii) restored the City property to a condition similar to the condition of the property before the excavation or construction was commenced,

the City shall return the deposit to the applicant.

- (4) Any person removing or causing a public tree on public property to be removed without a written permit shall pay the City the full replacement value of the tree removed.

Replacement Of  
Damaged Tree

- 11. (1) A person who damages or injures a tree on public property shall report such damage or injury to the Director and shall pay to the City the cost of repairing the tree or if the tree is damaged beyond repair shall pay to the City the cost of removing the tree and the full replacement value of the tree. The Director shall determine whether the tree can be repaired or is damaged beyond repair.

- (2) Where City Council approves the removal of a healthy public tree under section 7 of this by-law, the person requesting the removal of the tree shall pay the cost of removing the tree plus the cash value of the tree as established by the Ontario Shade Tree Council and the International Society of Arboriculture - Canada Inc.

Additional  
Authority Of  
Director

- 12. In addition to the authority otherwise provided in this by-law, the Director is authorized to perform the following duties:

- (i) Supervise the planting, care and maintenance of trees on public property.
- (ii) Supervise the trimming of trees planted,
  - a. upon public property; or
  - b. upon private property where the branches extend over public property.
- (iii) Remove public trees in the public interest.
- (iv) Administer and enforce this by-law.

Consent Of  
Director

- 13. (1) Where consent of the Director is required under section 8, any person may apply in writing to the Director for consent setting out the purpose for which the consent is required, the details of actions proposed, the expected results of such actions and such other matters as the Director may specify at the time the application is made.

Ibid.

- (2) The Director may consent, or consent upon condition or refuse to consent or withdraw his consent.



- No Obligation Of Director      14.      Where consent of the Director is required under section 8, nothing in the by-law obligates the Director to give such consent or continue such consent.
- Penalty      15.      Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to the fine specified in Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.
- Repeal      16.      Section 5 of By-law No. 86-77 is repealed.

PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor

(1992) 7 R.T.E.C. 63 June 30

## SCHEDULE "A"

To

By-law No. 92-

List of Prohibited Species  
(referred to in Section 2)

1. *Acer negundo* - Manitoba Maple.
2. *Acer saccharinum* - Silver Maple.
3. *Malus* - Apple: fruiting varieties.
4. *Populus* L. - Poplar species.
5. *Prunus* - Cherry: fruiting varieties.
6. *Pyrus* - Pear: fruiting varieties.
7. *Salix* L. - Willow species.
8. *Ulmus parvifolia* - Chinese Elm.

BY-LAW NO. 92 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting **Section 5(8)** in its entirety and by substituting therefore the following:-

"5(8) Notwithstanding subsection 1 of section 5, the director of traffic services is authorized to temporarily remove traffic signs and other traffic control devices and to install temporary traffic signs and other traffic control devices to accommodate traffic demands during construction or reconstruction of public highways, or public utilities, or services located therein."

2. **Schedule 24 (Parking Meter Locations)** is hereby amended by deleting from **Section 2 (Two Hour Limit)** the following item, namely:-

"Haymarket	Both	Hughson to John".
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and by adding thereto the following item, namely:-

"Haymarket	North	Hughson to John"
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3. **Schedule 25A (Parking Time Limits)** is hereby amended:

- a) by adding to **Section 5 (One Hour Limit)** the following item, namely:-

"Augusta	Both	Catharine to Walnut"
----------	------	----------------------

- b) by adding to **Section 18 (One Hour Limit)** the following item, namely:-

"Cathcart	East	Kelly to Cannon".
-----------	------	-------------------

4. **Schedule 25B (Parking Time Limits)** is hereby amended by adding to **Section 4 (One Hour Limit)** the following item, namely:-

"Tisdale	Both	Main to Erie
Elgin	Parking Bay on west side	commencing at a point 28 feet
		north of Wilson to a point 92 feet
		northerly therefrom".

5. **Schedule 26 (No Parking Areas)** is hereby amended:

- a) by adding to **Section A (No Parking Anytime)** the following items, namely:-

"Haymarket	South	Hughson to 60 feet east
Elgin	East	Cannon to 76 feet south
Fairview	East	Cannon to King".

b) by deleting from **Section C (No Parking, 7:00 a.m. to 6:00 p.m.)** the following item, namely:-

"Orphir	Both	Pottruff to Rainbow".
---------	------	-----------------------

and by adding thereto the following items, namely:-

"Orphir	North	Pottruff to Rainbow
Orphir	South	Gailmont to Rainbow".

6. **Schedule 26A (No Parking Areas)** is hereby amended by deleting from **Section H (No Parking, 9:00 a.m. to 5:00 p.m.)** the following item, namely:-

"Undercliffe	East	Aberdeen to Inglewood".
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and by adding thereto the following item, namely:-

"Undercliffe	East	from a point 147 south of Aberdeen to Inglewood".
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7. **Schedule 9 (Through Highways)** is hereby amended by deleting therefrom the following item, namely:-

"Young Street, from the easterly limit of James Street to the westerly limit of Victoria Avenue, except at the intersection of John Street.

and by adding thereto the following items, namely:-

"Young Street from the easterly limit of James Street to the westerly limit of John Street".

Young Street, from the westerly limit of Ferguson Avenue to the westerly limit of Victoria Avenue.

8. **Schedule 26B (No Parking Areas)** is hereby amended by adding thereto the following items, namely:-

"Young	South	John to Ferguson	2nd Tuesday each month 8:00 a.m. - 12:00 noon
Young	North	John to Ferguson	2nd Wednesday each month 8:00 a.m. - 12:00 noon".

9. **Schedule 27 (Alternate Side Parking)** is hereby amended by deleting therefrom the following item, namely:-

"Fairview Avenue	East	West".
King Street East to Cannon Street East		

10. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following items, namely:-

"Elgin	West	commencing at a point 51 feet south of Cannon to a point 60 feet southerly therefrom	Anytime
Peter	North	commencing at a point 316 feet west of Queen to a point 40 feet westerly therefrom	Anytime
Fullerton	West	commencing at a point 133 feet south of Princess to a point 20 feet southerly therefrom	Anytime



Wood	South	commencing at a point 133 feet east of Ferguson to a point 48 feet easterly therefrom	Anytime
Somerset	South	commencing at a point 165 feet west of Barnesdale to a point 25 feet westerly therefrom	Anytime
Locke	West	commencing at the north end to a point 30 feet south	Anytime
Ferguson	West	commencing at a point 184 feet north of Ferrie to a point 27 feet northerly therefrom	Anytime
Clinton	North	commencing at a point 161 feet east of Barnesdale to a point 22 feet easterly therefrom	Anytime
Greig	West	commencing at a point 276 feet south of Barton to a point 22 feet southerly therefrom	Anytime
Leeming	East	commencing at a point 388 feet north of Cannon to a point 20 feet northerly therefrom	Anytime
Leeming	West	commencing at a point 418 feet north of Cannon to a point 19 feet northerly therefrom	Anytime
Dunsmure	North	commencing at a point 96 feet east of Park Row to a point 19 feet easterly therefrom	Anytime
Dunsmure	South	commencing at a point 94 feet east of Park Row and extending to a point 26 feet easterly therefrom	Anytime

and by deleting therefrom the following items, namely:-

"Peter	North	commencing at point 294 ft. west of Queen to a point 62 ft. westerly therefrom	Anytime
East 27th	East	commencing at a point 30 feet north of Mohawk to a point 19 feet northerly therefrom	Anytime
East 27th	West	commencing at a point 31 feet north of Mohawk to a point 20 feet northerly therefrom	Anytime
Nightingale	South	commencing 172 feet east of the east curb line of Steven to a point 20 feet easterly	Anytime
Nightingale	North	commencing 167 feet east of the east curb line of Steven to a point 20 feet easterly	Anytime

PASSED THIS                      DAY OF                      , A.D. 19   .

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

BY-LAW NO. 92 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersection)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Webber	Eastbound	East
Gretna	Northbound	Cranbrook
Broughton	Eastbound and Westbound	Ashridge
Rexford	Eastbound and Westbound	Robson (east leg)
Rexford	Eastbound and Westbound	Robson (west leg)
Trieste	Westbound	DiCenzo
DiCenzo	Northbound and Southbound	Trieste".

2. **Schedule 15 (Designated Traffic Lanes)** is hereby amended by adding thereto the following item, namely:-

"Greenhill	Mount Albion to 100 feet east	North	Anytime	Westerly to Northerly".
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3. **Schedule 16 (No Left Turn at Certain Intersections)** is hereby amended by adding thereto the following item, namely:-

"King	Easterly	Dalewood	Anytime".
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4. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following items, namely:-

"Herkimer	North	commencing at a point 65 feet east of MacNab to a point 66 feet easterly therefrom	Anytime
King William	North	Tisdale to 80 feet west	Anytime
King William	South	Tisdale to 70 feet east	Anytime
Elgin	West	commencing at a point 120 feet north of Wilson to the north end	Anytime".

5. **Schedule 31 (School Bus Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Franklin	South	88 feet	commencing at a point 52 feet west of the west curb line of East 28th	7:00 a.m.- 6:00 p.m. Monday to Saturday".
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6. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Gibson	East	25 feet	32 feet north of Wilson	10:00 a.m. to 4:00 p.m. Monday to Friday".
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and by deleting therefrom the following item, namely:-

"East 22nd East 25 feet 321 feet north of Fennell 10:00 a.m. - 8:00 p.m."

PASSED THIS DAY OF , A.D. 19 .

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CITY CLERK

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MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED NORTH OF ROCKVIEW AVENUE,  
WEST OF THE PROPOSED EXTENSION OF CRERAR DRIVE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

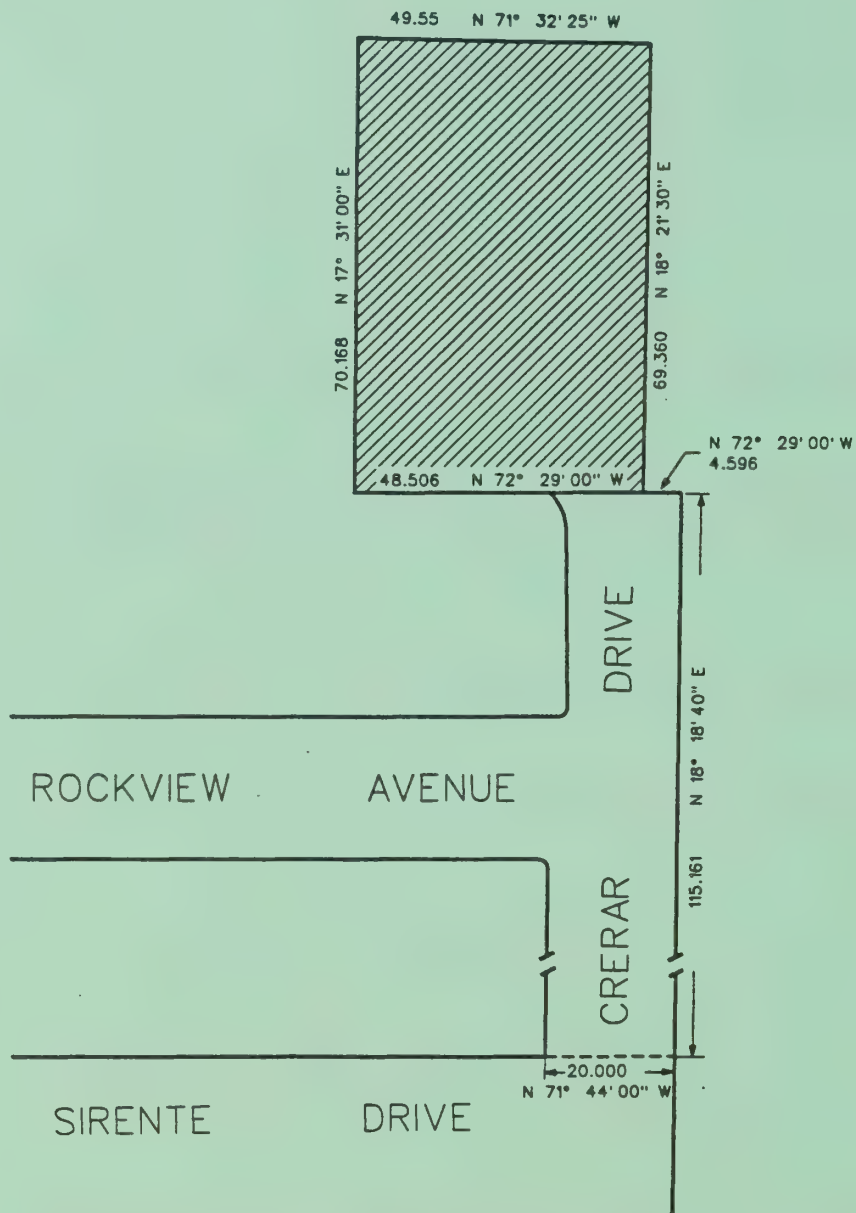
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor







NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-\_\_\_\_  
 Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

\_\_\_\_\_  
 Clerk

\_\_\_\_\_  
 Mayor

**City of Hamilton**  
**Schedule A**  
 Map Forming Part of  
 By-Law No. 92-\_\_\_\_  
 to Amend By-Law No. 6593  
 Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

Legend		
Change in zoning from:		
	"AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District.	
North 	Scale NOT TO SCALE	Reference File No. ZA 91-63
	Date MAY, 1992	Drawn By L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 50 CHRISTOPHER DRIVE

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9E of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

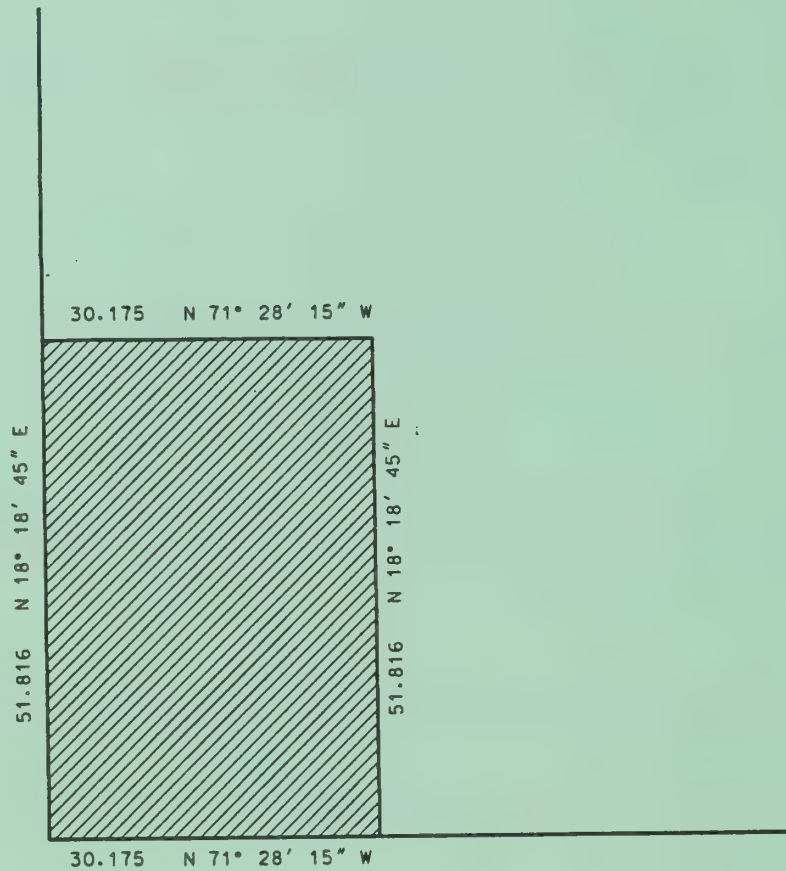
day of

A.D. 1992.

City Clerk

Mayor

CHRISTIE STREET



CHRISTOPHER DRIVE

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-\_\_\_\_  
Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

**City of Hamilton**  
**Schedule A**  
Map Forming Part of  
By-Law No. 92-\_\_\_\_\_  
to Amend By-Law No. 6593

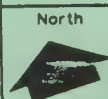
Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend

Change in zoning from:



"AA" (Agricultural) District to  
"C" (Urban Protected Residential, etc.) District.



Scale  
NOT TO SCALE

Date  
MAY, 1992

Reference File No.  
ZA 92-05

Drawn By  
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593  
As Amended by Zoning By-law No. 90-227

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1492 UPPER JAMES STREET

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-227 on the 31st day of July 1990 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "C" District, in respect of the land located at Municipal No. 1492 Upper James Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, R.S.O. 1990, Chapter P.13;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 7 of the 9th Report of the Planning and Development Committee at its meeting held on the 12th day of May 1992, recommended that Zoning By-law No. 6593, as amended by By-law No. 90-227 be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, as amended by By-law No. 90-227, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) in accordance with Section 39 of the Planning Act, R.S.O. 1990 the buildings or structures existing on the day of the passing of this by-law and the land may be used temporarily for the sale of new and used automobiles for a period not exceeding three years from the day of the passing of this by-law;



- (b) notwithstanding Section 9.(1) of By-law No. 6593, one pylon sign will be permitted on the lot in accordance with the requirements of Section 14A(3)(a) of By-law No. 6593;
- (c) notwithstanding Section 18.(3)(ivc)(b) of By-law No. 6593, a landscaped planting strip not less than 3.0 m in width shall be provided and maintained only along the northerly lot line;
- (d) notwithstanding Section 18.(3)(ivc)(c) of By-law No. 6593, no visual barrier shall be required.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-939b.

4. Sheet No. W-9D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-939b.

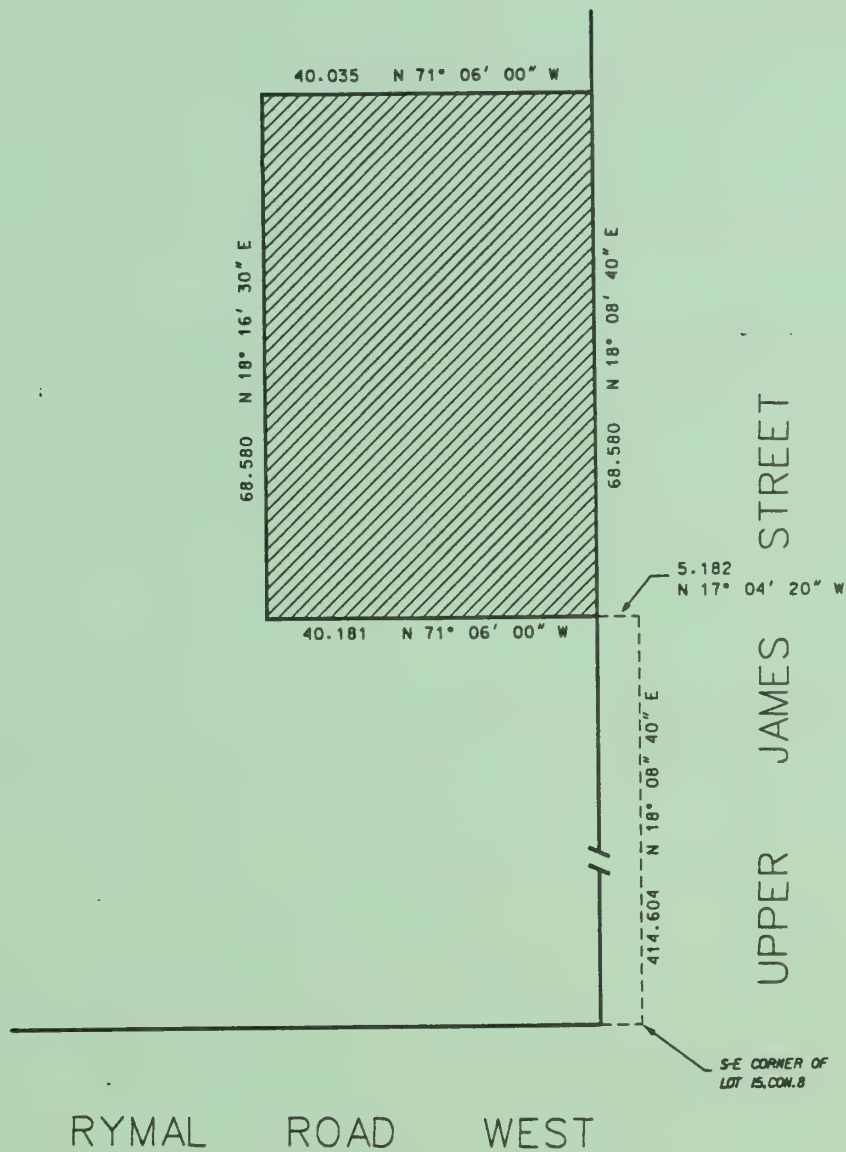
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor

(1992) 9 R.P.D.C. 7, May 12  
603815 Ontario Inc.  
(Dave Armstrong), Owner  
Amended ZA-92-01



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-\_\_\_\_  
Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

**City of Hamilton**  
**Schedule A**  
Map Forming Part of  
By-Law No. 92-\_\_\_\_  
to Amend By-Law No. 6593  
Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



Lands to be regulated by  
By-Law No. 92-\_\_\_\_\_

North 	Scale NOT TO SCALE	Reference File No. ZA 92-01
	Date MAY, 1992	Drawn By L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Adopt:

Official Plan Amendment No. 111

Respecting:

LANDS LOCATED BETWEEN GARTH STREET, STONE CHURCH ROAD WEST,  
WEST FIFTH STREET AND RYMAL ROAD WEST,  
WITHIN THE SHELDON AND MEWBURN WEST NEIGHBOURHOODS

The Council of The Corporation of the City of Hamilton  
enacts as follows:

1. Amendment No. 111 to the Official Plan of the Hamilton  
Planning Area consisting of Schedule 1, hereto annexed and forming  
part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval  
of the Official Plan Amendment referred to in section 1 above, as  
may be requisite, be obtained and for the doing of all things for  
the purpose thereof.

PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor

## **Amendment No. 111**

**to the**

### **City of Hamilton Official Plan**

The following text, together with Schedule "A", attached hereto, constitutes Official Plan Amendment No. 111.

#### **Purpose:**

The purpose of this Amendment is to incorporate changes to Schedule "A" - Land Use Concept of the Official Plan, required as a result of the completion of the Sheldon and Mewburn West Neighbourhood Plans.

#### **Location:**

The lands affected by this Amendment are located between Upper Garth Street, Stone Church Road West, West Fifth Street and Rymal Road West within the Sheldon and Mewburn West Neighbourhoods.

#### **Basis:**

This Amendment will provide for the implementation of the recently approved Sheldon and Mewburn West Neighbourhood Plan.

#### **Actual Changes:**

Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating portions of the Sheldon and Mewburn West Neighbourhood from:

- "Open Space" to "Residential";
- "Major Institutional" to "Open Space"; and,
- "Open Space" to "Major Institutional",

as shown on the attached Schedule "A" of this Amendment.

#### **Implementation:**

Provisions of Section D - Implementation of the Official Plan will apply to the implementation of this Amendment.



This is Schedule "1" to By-law No. 92-  
1992. , passed on the day of ,

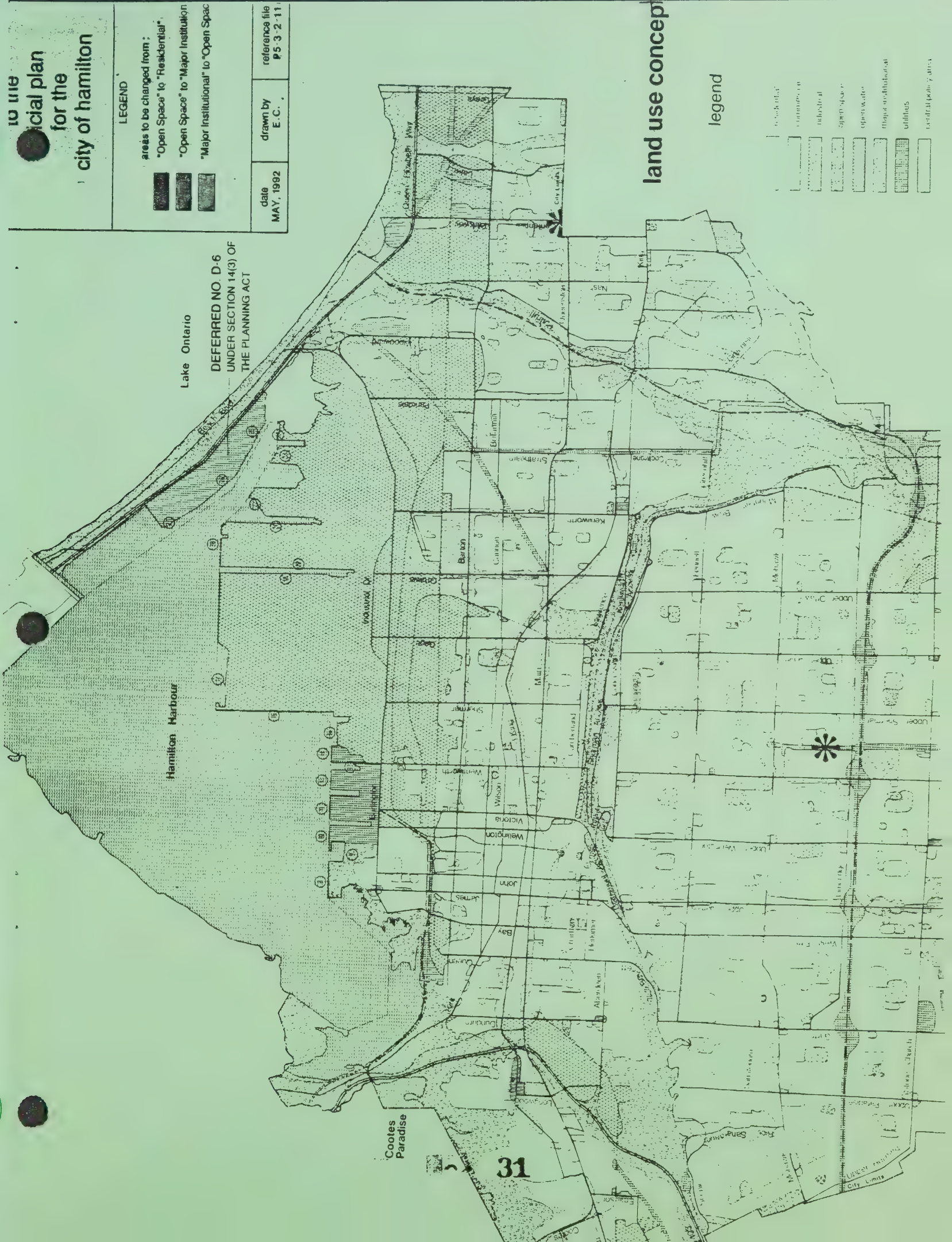
**The Corporation of the  
City of Hamilton**

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City Clerk

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Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Designate:

**PORTIONS OF THE NORTH END EAST AND WEST NEIGHBOURHOODS  
AS A COMMUNITY IMPROVEMENT PROJECT AREA**

WHEREAS subsection 28(2) of the Planning Act, R.S.O. 1990, Chapter P.13 provides as follows:

(2) Where there is an official plan in effect in a local municipality that contains provisions relating to community improvement in the municipality, the council may, by by-law, designate the whole or any part of an area covered by such an official plan as a community improvement project area;

AND WHEREAS the Official Plan of the City of Hamilton approved by the Minister on June 1, 1982, contains provisions relating to community improvement in the City of Hamilton;

AND WHEREAS it is desirable to designate portions of the North End East and West Neighbourhoods as a community improvement project area;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 92-054 on the 11th day of February 1992 to designate portions of the North End East and West Neighbourhoods as a community improvement project area;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 3 of the 10th Report of the Planning and Development Committee at its meeting held on the 26th day of May 1992, recommended that By-law No. 92-054 be amended to include all of the proposed Project elements within the boundaries of the community improvement project area;

AND WHEREAS it is expedient to repeal By-law No. 92-054 and replace it with the following.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

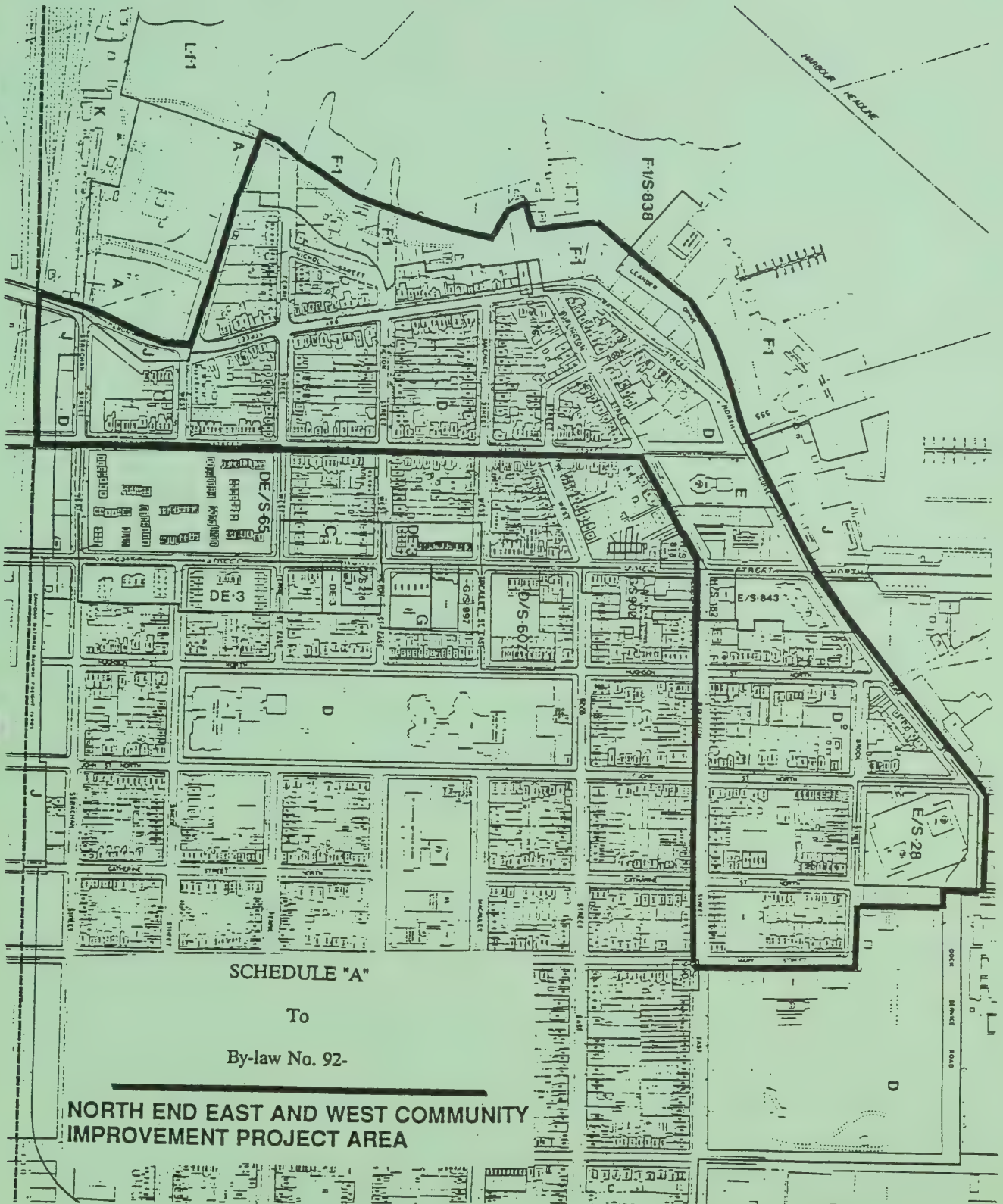
1. By-law No. 92-054 is hereby repealed.
2. The area shown on Schedule "A" hereto annexed and forming part of this by-law, comprised in the North End East and West Neighbourhoods, is hereby designated as a community improvement project area.

PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor







The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Adopt:

Official Plan Amendment No. 112

Respecting:

LANDS LOCATED NORTH AND EAST OF THE HAMILTON CITY LIMITS,  
SOUTH OF RYMAL ROAD WEST  
AND WEST OF THE PROPOSED GARTH STREET EXTENSION,  
WITHIN THE CARPENTER NEIGHBOURHOOD

The Council of The Corporation of the City of Hamilton  
enacts as follows:

1. Amendment No. 112 to the Official Plan of the Hamilton  
Planning Area consisting of Schedule 1, hereto annexed and forming  
part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval  
of the Official Plan Amendment referred to in section 1 above, as  
may be requisite, be obtained and for the doing of all things for  
the purpose thereof.

PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor

**Amendment No. 112**  
**to the**  
**City of Hamilton Official Plan**

The following text, together with Schedule "A", attached hereto, constitutes Official Plan Amendment No. 112.

**Purpose:**

The purpose of this Amendment is to incorporate changes to Schedule "A" - Land Use Concept of the Official Plan, required as a result of the completion of the Carpenter Neighbourhood Plan.

**Location:**

The lands affected by this Amendment are located north and east of the Hamilton City Limits, south of Rymal Road West and west of the proposed Garth Street extension within the Carpenter Neighbourhood.

**Basis:**

This Amendment will provide for the implementation of the recently approved Carpenter Neighbourhood Plan.

**Actual Changes:**

Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating portions of the Carpenter Neighbourhood from:

- "Residential" to "Open Space";
- "Residential" to "Major Institutional"; and,
- "Residential" to "Utilities",

as shown on the attached Schedule "A" of this Amendment.

**Implementation:**

Provisions of Section D - Implementation of the Official Plan will apply to the implementation of this Amendment.

This is Schedule "1" to By-law No. 92-1992.

, passed on the

day of

**The Corporation of the  
City of Hamilton**

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City Clerk

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Mayor

**schedule A**  
**amendment no: 112**  
to the  
**official plan**  
for the  
**city of hamilton**

Area to be changed from

- "Residential" to "Open Space"
- "Residential" to "Major Institutional"
- "Residential" to "Utilities"

Date  
MAY 29, 1992

Drawn by  
W Brathwaite

Reference File no.  
P5 3.3-112

**DEFERRED NO D-6**  
**UNDER SECTION 14(3) OF**  
**THE PLANNING ACT**

Lake Ontario

Hamilton Harbour

Cootes Paradise

**land use concept**

**legend**

- residential
- commercial
- industrial
- open space
- open water
- major institutional
- utilities
- central policy area
- special policy area
- wilderness design
- urban numbers
- sub regional centre

**schedule A**  
to the official plan  
for  
the city of hamilton  
APRIL 8, 1992

0 500 1000 2000  
Scale in metres





The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend By-law No. 91-075

Respecting:

THE CENTRAL/BEASLEY COMMUNITY IMPROVEMENT PLAN

WHEREAS Section 1 of By-law No. 91-044, passed on the 12th day of March 1991 designated the area described in Schedule "A" and shown on Schedule "B" thereto as a Community Improvement Project Area in accordance with subsection 28(2) of the Planning Act, 1983;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 91-075 on the 30th day of April 1991 to adopt a Community Improvement Plan for the said area in accordance with subsection 28(4) of the said Act;

AND WHEREAS the Community Improvement Plan was approved by the Ministry of Municipal Affairs on the 30th day of May 1991, in accordance with section 28(8) of the said Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 6 of the 10th Report of the Planning and Development Committee on the 26th day of May 1992 recommended that the said Plan be modified by approving an Addendum to implement the PRIDE Housing Intensification Program.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Addendum to the Central/Beasley Community Improvement Plan hereto annexed as Schedule "A" and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that the approval of the Addendum to the Community Improvement Plan referred to in section 1 shall include approval for the doing of all things for the purpose thereof.

3. This by-law comes into force and effect on the date of its approval by the Ministry of Municipal Affairs.

PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor

## SCHEDULE "A"

To By-law No. 92-

### MISSION STATEMENT:

The Community Improvement Plan and this Addendum have been created in order to make the Community Improvement Project Area a better place to live for existing and future residents and give the residents a sense of ownership and pride.

### BACKGROUND:

Through the 1991-1993 Central/Beasley PRIDE Programme, with a total allocation of \$627,000. (50% Municipal, 50% Ministry of Municipal Affairs, Community Development Branch), the City of Hamilton, in conjunction with a Citizens' Advisory Committee (C.A.C.) are carrying out a number of improvements in the Community Improvement Project Area that will add to the quality of life for the residents. To date, McLaren Park has been redeveloped, lights have been installed to illuminate the pathway of St. Mary's Church and, construction of Beasley Park is expected to commence in the Spring of 1992. A Beasley Neighbourhood Association has been formed by the efforts of members of the Central/Beasley PRIDE C.A.C. A Central Neighbourhood Association is anticipated to be formed this year. The formation of Neighbourhood Associations was a goal identified in the original Community Improvement Plan.

A second allocation of \$1,440,000. (50% Municipal, 50% Ministry of Municipal Affairs, Community Development Branch) is now available. An Addendum to the original Community Improvement Plan for the purpose of implementing the 1992-1994 Central/Beasley PRIDE H.INT. Programme is therefore required identifying additional goals and objectives for the Community Improvement Project Area. PRIDE H.INT. is a tool to implement these goals. Through the implementation of these goals and objectives, the impact of housing intensification on the neighbourhood will be offset, and will provide the basis to attract and contend with future residential projects.

Given the socio-economic demographics of the two neighbourhoods, the Central/Beasley PRIDE H.INT. C.A.C. intends to earmark projects for funding to encourage beautification, stabilization and rehabilitation in the Project Area.

The efforts of this Committee will encourage families to buy in the area, undertaking the private property repairs, renovations and infilling that will contribute to the rejuvenation and reconstitution of viable and vibrant neighbourhoods in the downtown core.

Through the policies of the neighbourhood plans both neighbourhoods within the project area are designated for the conservation of low rise housing. The C.A.C. intends to support this type of housing within the Community Improvement Project Area because it is of the scale, density and design sympathetic with the existing housing stock in the area.

Beyond the conclusion of the PRIDE and PRIDE H.INT. Programmes and the expenditure of these funds, it is hoped that City Council will endeavour to find other sources of funding to ensure the complete implementation of this Community Improvement Plan.

### FORMAT/SCOPE

The following Addendum to the Central/Beasley PRIDE Community Improvement Plan identifies the goals, objectives and resultant actions of the Central/Beasley PRIDE H.INT. C.A.C. - All schedules and appendices do not form part of this Plan.

## **ADDENDUM TO THE CENTRAL/BEASLEY**

### **COMMUNITY IMPROVEMENT PLAN**

#### **GOAL ONE**

##### **ADDRESS PROBLEMS CREATED BY ABUTTING INCOMPATIBLE USES**

###### **Objective 1.1**

Buffering of warehouse/storage/industrial/commercial uses from residential.

###### **Action 1.1.1**

Identify and approach owner(s) of storage/warehouse/industrial/commercial properties surrounding McLaren Park and encourage to fence off and/or buffer their property from the Park and road allowance.

###### **Action 1.1.2**

Negotiate with Bell Canada to cost share on the buffering of their site at Park and Mulberry Streets.

###### **Action 1.1.3**

Identify and approach owner(s) of storage/warehouse/industrial/commercial properties and encourage to fence and/or buffer their property.

###### **Objective 1.2**

Buffering of parking lots to minimize negative visual impact on street.

###### **Action 1.2.1**

Request the Parking Authority to provide appropriate landscaping around the perimeter of their parking lots.

###### **Action 1.2.2**

Identify owners of private parking lots and request that they provide appropriate landscaping around their parking lots.

###### **Action 1.2.3**

Request negotiations with CN to cost share the buffering of their parking lot at Murray and Hughson Streets.



### **Objective 1.3**

Identify cost sharing possibilities between Owner/Municipality/Senior Government funding.

#### **Action 1.3.1**

Prepare a list of property owners that have the potential for landscaping and buffering treatments.

#### **Action 1.3.2**

Approach property owners as per Action 1.3.1 with a view to cost-sharing i.e. Industrial Roadside Beautification Programme and/or PRIDE H.INT.

### **Objective 1.4**

Create dialogue between the City of Hamilton and warehouse/storage/industrial/commercial property owners and operators to encourage landscaping and buffering of their properties.

#### **Action 1.4.1**

Establish a task force of members from the PRIDE HINT C.A.C., Neighbourhood Associations and staff to both identify and meet/negotiate with warehouse/storage/industrial/commercial property owners with a view to reaching an agreement for cost sharing of landscaping/buffering and report same to the PRIDE HINT C.A.C.

### **Objective 1.5**

Recommend that a study be implemented respecting the feasibility of enforcing stricter guidelines for landscaping associated with new development.

#### **Action 1.5.1**

Recommend that the Planning Department be encouraged to set-up specific guidelines for landscape design and buffering for warehouse/storage/industrial/commercial uses within the neighbourhoods.

### **Objective 1.6**

Encourage reuse of existing or unused warehouse/storage/industrial/commercial buildings for residential purposes.

#### **Action 1.6.1**

Encourage the Building Department to **PROMOTE** the available loan programmes for the purpose of converting unused storage/warehouse/industrial/commercial to residential use.



**Action 1.6.2**

Encourage the Municipal Non-Profit Housing Corporation to utilize warehouse/storage/industrial/commercial space for conversion to residential use as part of its strategy to provide affordable housing in the lower city area.

**Action 1.6.3**

Request that the Planning Department through the Neighbourhood Plan Review identify vacant housing stock and warehouse/storage/industrial/commercial buildings that are suitable for residential use, with a view to provide additional housing quality stock from existing.

**GOAL TWO**

**With Reference to Goal Three of the Original Community Improvement Plan - Increase Public Safety and Security**

**Objective 2.1**

Make the neighbourhood more accessible for people with disabilities.

**Action 2.1.1**

Identify insufficient approaches with the aim to provide wheelchair ramps throughout the neighbourhood.

**Action 2.1.1.2**

Invite a representative from Wheelchair Ramping Sub-Committee to a PRIDE HINT CAC meeting.

**Action 2.1.1.3**

Send a letter to the Regional Roads Department advising of the Committee's concern with respect to the design of the existing approach/sidewalk and potential safety.

**Objective 2.2**

Upgrade level of lighting throughout the Community Improvement Project Area.

**Action 2.2.1**

Identify areas that have high traffic i.e. church/parks/schools/hospitals/commercial.

**Action 2.2.2**

Identify residential areas with inadequate lighting.

**Action 2.2.3**

Liaise with Hamilton Hydro Electric System to identify their ongoing initiatives such as the Street Lighting Conversion Programme, in the neighbourhood which will help to co-ordinate redevelopment initiatives.

**Action 2.2.4**

Explore feasibility of installing traditional lighting in neighbourhoods.

**Action 2.2.5**

Take advantage of Hydro's grant programme for the conversion of high pressure sodium lighting.

**Objective 2.3**

Improve alleyways respecting safety and pedestrian/bicycle linkage.

**Action 2.3.1**

Install lighting in alleyways where appropriate.

**Action 2.3.2**

Ensure entranceway of alleyways are well lit from street.

**Objective 2.4**

Increase safety in parks

**Action 2.4.1**

Request Regional Roads Department to review existing lighting levels in parks and upgrade as requested.

**Action 2.4.2**

Request Parks Division to prune trees from ground up, where potential problems of security have been identified.

**Action 2.4.3**

Meet with Regional Police to identify potential problem areas in existing parks. Request an increase of police patrol within the Central and Beasley neighbourhoods. Request crime statistics for the two neighbourhoods.

**Action 2.4.4**

Review existing parks for the purpose of identifying areas where wheelchairs, baby carriages and people with disabilities may have difficulty accessing and using facilities in the park with a view to correct these deficiencies

**Objective 2.5**

Establish a Neighbourhood Watch.

**Action 2.5.1**

Invite the Community Services Section of the Police Department to a CAC meeting to educate on Neighbourhood Watch programme (as per Action 3.1.2. of the original Community Improvement Plan).

**Action 2.5.2**

Through the Neighbourhood Association establish a Neighbourhood Watch in Beasley .

**Action 2.5.3**

Through the Neighbourhood Association establish a Neighbourhood Watch in Central.

**Objective 2.6**

Improve Traffic/Pedestrian Safety in the Community Improvement Project Area.

**Action 2.6.1**

Request the Traffic Department to install traffic signal lights at Cannon Street and Ferguson Avenue.

**Action 2.6.2**

Identify "safe" pedestrian/bicycle routes within the Community Improvement Project Area and make recommendations through the Region and City (co-ordinate through Culture and Recreation Department).

- i) Invite the Region's bicycle study consultant Victor Ford to a CAC meeting.

**Action 2.6.3**

Identify other areas of concern for pedestrian safety and report these to the Traffic Department for possible action.

### **GOAL THREE**

#### **ENHANCE EXISTING RECREATIONAL AND SOCIAL SERVICES**

##### **Objective 3.1**

Encourage the Culture and Recreation Department to establish a community centre in proximity to the proposed housing development at Ferguson and Cannon i.e. within Beasley Park.

##### **Action 3.1.1**

Recommend to the Culture and Recreation Department that the parks building at Beasley Park be renovated for the use of the Beasley Neighbourhood Association.

##### **Action 3.1.2**

The Neighbourhood Association work with the Culture and Recreation Department to provide programming in both Beasley and McLaren Parks.

##### **Action 3.1.3**

Upgrade the storage and washroom facility at McLaren Park adjacent to Robert's Village, a residential complex.

##### **Objective 3.2**

Identify potential park sites within the Community Improvement Project Area.

##### **Action 3.2.1**

That staff from the City of Hamilton and the Central/Beasley PRIDE HINT CAC carry out a physical inventory of available park space within the Central and Beasley portion of the Community Improvement Project Area.

##### **Action 3.2.2**

If feasible use PRIDE HINT funding to develop a park within the Central portion of the Community Improvement Project Area.

##### **Objective 3.3**

Enhance facilities available at Beasley Park due to the residential demand relative to the development of housing on the Carter lands.

##### **Action 3.3.1**

Install a spray pool at Beasley Park



**Action 3.3.2**

Request that the City acquire Lockwoods Motors to expand Beasley Park to front on to Ferguson Avenue.

**Action 3.3.3**

Provide additional seniors recreational services at Beasley Park.

**Action 3.3.4**

Review the possibility of a bandstand in Beasley Park.

**Objective 3.4**

Create an inventory of existing social services and create an awareness in the community of services available to the public.

**Action 3.4.1**

Request Regional Social Services to provide a list of the social service agencies within the neighbourhood.

**Action 3.4.2**

Suggest dispersion of social service agencies to be spread more equitably throughout the City.

**Objective 3.5**

Identify and meet with social service providers with a view to enhance services required within the Community Improvement Project Area.

**Action 3.5.1**

Neighbourhood Association to work with social service agencies to determine whether adequate services are available.

**Action 3.5.2**

Neighbourhood Association encourage agencies to modify/expand/reduce programmes available.

**Action 3.5.3**

Identify the problems associated with the provision of services i.e. homeless people loitering in parks. Work closely with local government or appropriate agencies for remedies to the situation.

## **GOAL FOUR**

### **IMPROVE HARD SERVICES WITHIN THE COMMUNITY IMPROVEMENT PROJECT AREA**

#### **Objective 4.1**

Request the City and Region to review sidewalks/roads/sewers and water services with a view to upgrade these facilities as required.

##### **Action 4.1.1**

Pinpoint areas of concern within the community and provide to the Regional Municipality.

#### **Objective 4.2**

Identify key shortfalls in hard services that require immediate attention relative to new and future residential development.

##### **Action 4.2.1**

By participating in committees and by monitoring development proposed or occurring in the neighbourhood, the Neighbourhood Association will be able to lobby local government to ensure that a comprehensive approach to development occurs i.e. develop sympathetic to the neighbourhood i.e. landscaping, buffering, recreational services, lighting.

#### **Objective 4.3**

Work in partnership with developers to improve hard services adjacent to their developments in order that cost sharing can be met and PRIDE HINT funds maximized.

##### **Action 4.3.1**

By participating in local government planning activities, the Neighbourhood Associations can get to know developers and through this relationship can encourage that sustainable/sympathetic development occurs as in Action 4.2.1. above.

#### **Objective 4.4**

Encourage/support the reconstruction of Ferguson Avenue and removal of CN Tracks.

**Action 4.4.1**

As part of the planning process for Ferguson Avenue, the Central Beasley PRIDE HINT CAC will have the ability to make recommendations regarding development of the street.

**Action 4.4.2**

Maximize all **OTHER** funding for Ferguson Avenue development including the City of Hamilton's Capital Budget, CN Rail, abutting developers.

**Action 4.4.3**

Recommend to the Planning and Development Committee and the Transport and Environment Committee that residents abutting Ferguson Avenue not be penalized under the Local Improvement Act.

**Action 4.4.4**

The PRIDE H.INT. C.A.C. recommend the beautification of Ferguson Avenue.

**Objective 4.2.4. (to expand on original CIP)**

Carry out tree planting programme throughout entire neighbourhood to improve air quality.

**Action 4.2.4.1**

City of Hamilton to **ACTIVELY PROMOTE** a tree planting programme and, if necessary use PRIDE HINT funds.

**Action 4.2.4.2**

Encourage the Planning Department to incorporate landscape guidelines for older residential areas with the aim to preserve the existing trees.

**Objective 4.5**

Identify appropriate locations for potential placement of litter containers and benches.

**Action 4.5.1**

The PRIDE HINT C.A.C., in conjunction with the Consultant services, to identify problem or key areas for the placement of litter containers and benches.



The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593  
As Amended by Zoning By-law No. 90-311

Respecting:

LAND LOCATED AT MUNICIPAL NO. 480 RYMAL ROAD WEST

WHEREAS By-law No. 90-311, passed by the Council of The Corporation of the City of Hamilton on the 13th day of November 1990, rezoned the above-captioned lands and established special requirements with respect to the said lands, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS section 2(a) of By-law No. 90-311 provides that upon the availability of all such municipal sewers serving the subject lands as the City deems necessary, the 'H' symbol shall be removed by amendment to By-law No. 90-311, and the development of the lands referred to in section 1 of the said by-law may proceed in accordance with the "C" District, "R-4" District and "RT-20" District provisions;

AND WHEREAS the municipal sewers as deemed necessary by the City have been installed and are available to service the subject lands;

AND WHEREAS this by-law does not conflict with the intent of the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

AND WHEREAS City Council in adopting Section 9 of the 9th Report of the Planning and Development Committee at its meeting held on the 12th day of May 1992, directed the City Solicitor to prepare the necessary by-law to remove the 'H' symbol in respect of the subject lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 90-311, passed on the 13th day of November 1990, to the "C"- 'H' (Urban Protected Residential, etc. - Holding) District designation of Blocks 1 and 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law and which were previously shown as Blocks 1, 2 and 6 on Schedule "A" to By-law No. 90-311, is hereby removed and the development of the said land may proceed in accordance with the "C" (Urban Protected Residential, etc.) District provisions of Zoning By-law No. 6593.

2. The 'H' (Holding) symbol affixed by By-law No. 90-311, passed on the 13th day of November 1990, to the "C"- 'H' (Urban Protected Residential, etc. - Holding) District designation of Block 3, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law and which was previously shown as Block 7 on Schedule "A" to By-law No. 90-311, is hereby removed and the development of the said land may proceed in accordance with the "C" (Urban Protected Residential, etc.), District, modified provisions of Zoning By-law No. 6593, subject to the special requirement referred to in section 3 of By-law No. 90-311.

3. The 'H' (Holding) symbol affixed by By-law No. 90-311, passed on the 13th day of November 1990, to the "R-4"- 'H' (Small Lot Single-Family Detached - Holding) District designation of Block 4, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law, is hereby removed and the development of the said land may proceed in accordance with the "R-4" (Small Lot Single-Family Detached) District provisions of Zoning By-law No. 6593.



4. The 'H' (Holding) symbol affixed by By-law No. 90-311, passed on the 13th day of November 1990, to the "RT-20"- 'H' (Townhouse-Maisonette - Holding) District designation of Block 5, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law, is hereby removed and the development of the said land may proceed in accordance with the "RT-20" (Townhouse-Maisonette) District provisions of Zoning By-law No. 6593, subject to the special requirements referred to in section 4 of By-law No. 90-311.

5. Sheet No. W-27D of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 1 of By-law No. 90-311, is further amended by changing from "C" - 'H' (Urban Protected Residential, etc. - Holding) District to "C" (Urban Protected Residential, etc.) District the land comprised in Blocks 1 and 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

6. Sheet No. W-27D of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 1 of By-law No. 90-311, is further amended by changing from "C" - 'H' (Urban Protected Residential, etc. - Holding) District to "C" (Urban Protected Residential, etc.) District, modified the land comprised in Block 3, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

7. Sheet No. W-27D of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 1 of By-law No. 90-311, is further amended by changing from "R-4" - 'H' (Small Lot Single-Family Detached - Holding) District to "R-4" (Small Lot Single-Family Detached) District the land comprised in Block 4, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

8. Sheet No. W-27D of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 1 of By-law No. 90-311, is further amended by changing from "RT-20" - 'H' (Townhouse-Maisonette - Holding) District to "RT-20" (Townhouse-Maisonette) District the land comprised in Block 5, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

9. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District and "RT-20" District provisions, subject to the special requirements referred to in sections 3 and 4 of By-law No. 90-311.

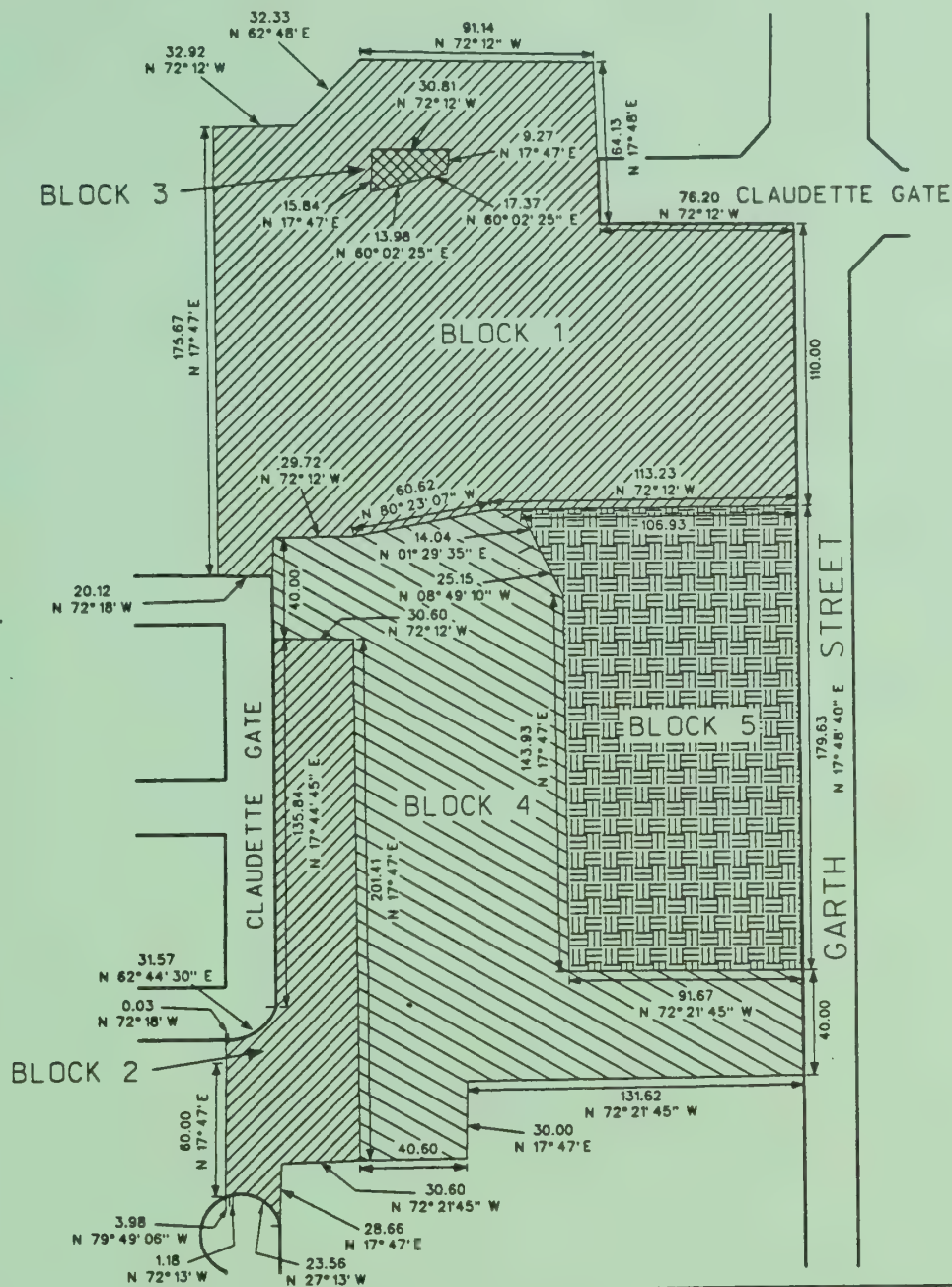
10. By-law No. 6593, as amended by By-law No. 90-311, is further amended by adding this by-law to section 19B as Schedule S-1195a.

11. Sheet No. W-27D of the District Maps, as amended by By-law No. 90-311, is further amended by marking the lands referred to in sections 1, 2, 3 and 4 of this by-law, S-1195a.

PASSED this                      day of                      , A.D. 1992.

City Clerk

Mayor



This is Schedule "A" to By-Law No. 92-\_\_\_\_  
Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

NOTE: All dimensions are in metres

**City of Hamilton**  
**Schedule A**  
Map Forming Part of  
By-Law No. 92-\_\_\_\_\_  
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

#### Legend



Lands to be regulated by  
By-Law No. 92-\_\_\_\_\_

North



Scale  
NOT TO SCALE

Date  
MAY, 1992

Reference File No.  
ZA-92-04

Drawn By  
H.V.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 323 AND 325 WENTWORTH STREET NORTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

AND WHEREAS the special condition relating to this rezoning, referred to in Section 9 of the 6th Report of the Planning and Development Committee adopted by City Council on the 9th day of April 1991, has been satisfied.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

- (a) notwithstanding Section 10(1)(i) of By-law No. 6593, a residential care facility for the accommodation of not more than 12 residents shall be permitted within the existing building;
- (b) notwithstanding Section 18A.(1) of By-law No. 6593, not less than 2 parking spaces shall be provided and maintained and the required manoeuvring will be located off-site;
- (c) notwithstanding Section 18A.(14) of By-law No. 6593, one (1) parking space will be located in the required front yard and the required manoeuvring will be located off-site;
- (d) notwithstanding Section 18.(3)(vi)(c)(i) of By-law No. 6593, the open stairway to the second floor may project not more than 1.09 m into the required rear yard.



2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1224.

4. Sheet No. E-12 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1224.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this

day of

A.D. 1992.

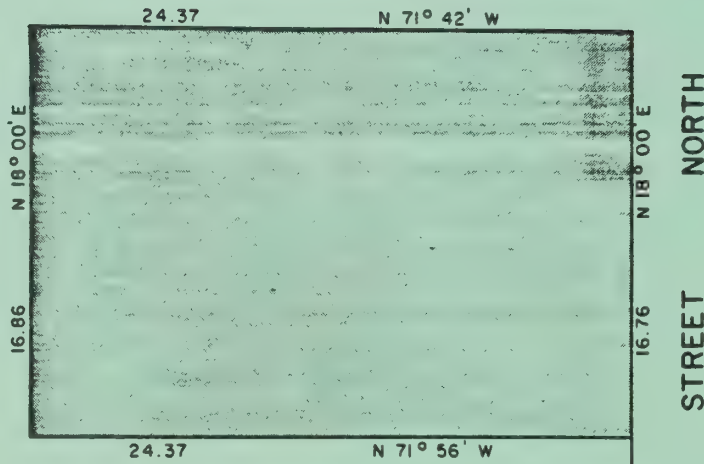
City Clerk

Mayor

(1991) 6 R.P.D.C. 9, April 9  
 (1992) 1 R.P.D.C. 34, January 14  
 Diton Construction, Owner  
 ZA-89-95



# BIRGE STREET



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 9 - .....  
Passed the ..... day of ....., 199 .

.....  
Clerk

.....  
Mayor

City of Hamilton

## Schedule A

Map Forming Part of  
By-Law No. 9 - .....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend



Lands to be regulated by  
By-Law No. 9 - .....

North



Scale  
NOT TO SCALE

Date  
APRIL, 1991

Reference File No.  
ZA 89-95

Drawn By  
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE REAR OF  
MUNICIPAL NO. 89 STONE CHURCH ROAD EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

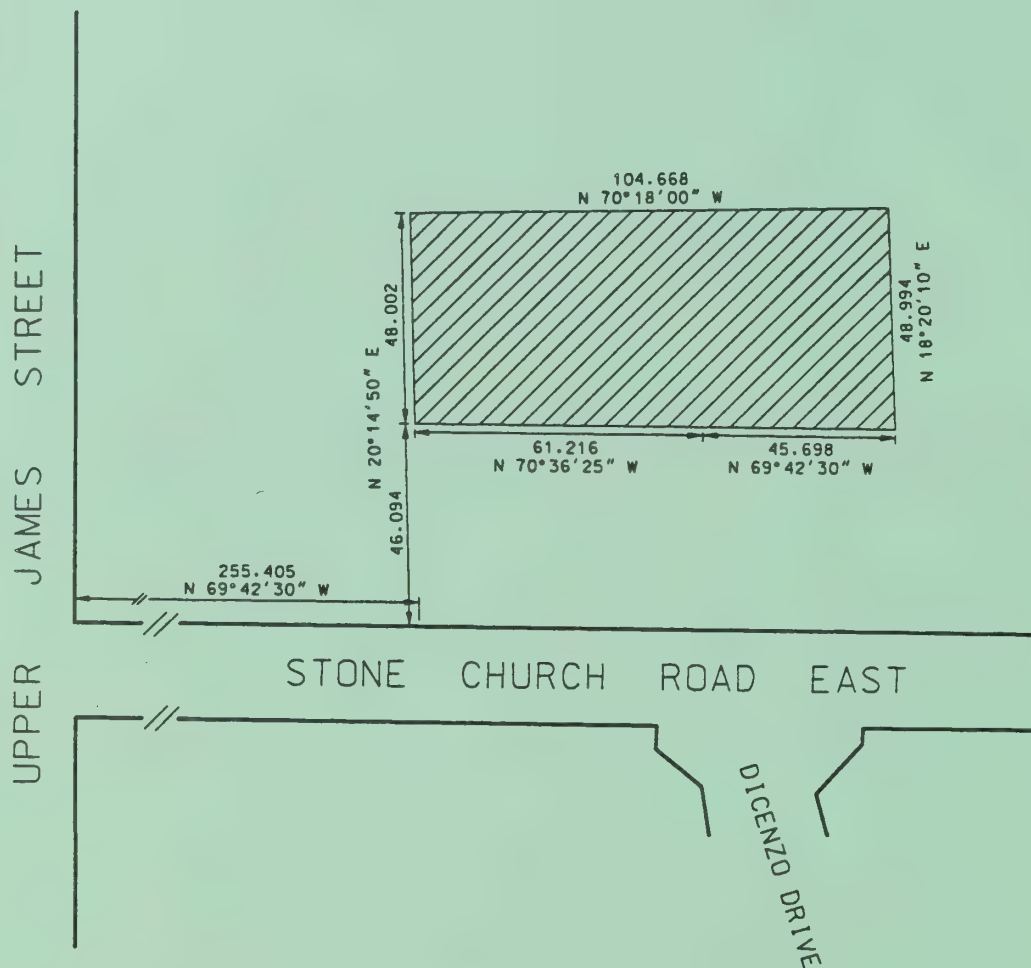
the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-\_\_\_\_  
 Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

\_\_\_\_\_  
 Clerk

\_\_\_\_\_  
 Mayor

**City of Hamilton**  
**Schedule A**  
 Map Forming Part of  
 By-Law No. 92-\_\_\_\_\_  
 to Amend By-Law No. 6593  
 Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

Legend  
 Change in zoning from:



"AA" (Agricultural) District to "C"  
 (Urban Protected Residential, etc.) District



Scale  
 NOT TO SCALE  
 Date  
 MAY, 1992

Reference File No.  
 CI-92-A  
 Drawn By  
 H.V.

## The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

## LAND LOCATED AT MUNICIPAL NO. 595 RYMAL ROAD WEST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-27E of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "B" (Suburban Agriculture and Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "B" (Suburban Agriculture and Residential, etc.) District provisions, as contained in Section 8 of Zoning By-law No. 6593, applicable to the land comprised in Block 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 8(4) of By-law No. 6593, a lot width of not less than 18.29 m shall be permitted.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "B" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1272.

5. Sheet No. W-27E of the District Maps is amended by marking the lands referred to in Section 1 of this by-law, S-1272.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

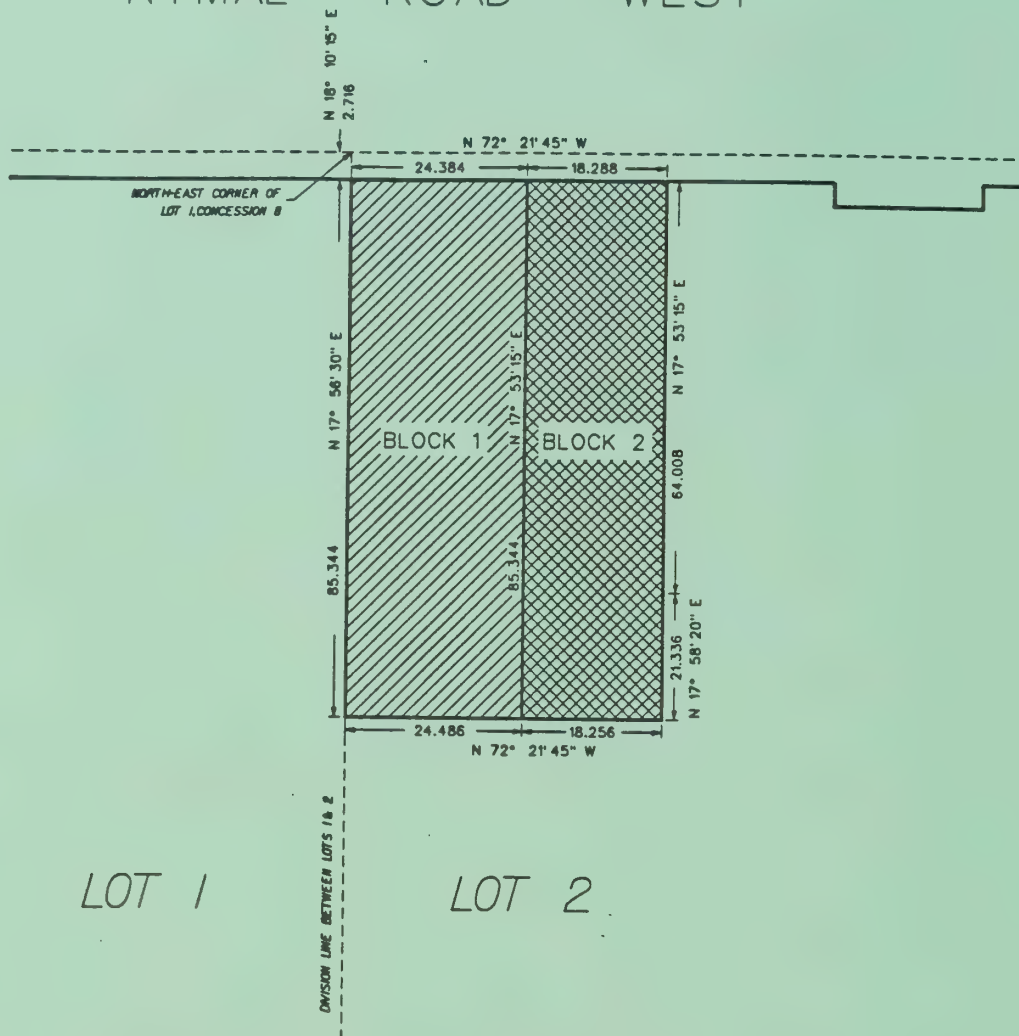
PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor



# RYMAL ROAD WEST



NOTE: All dimensions are in metres

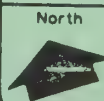
This is Schedule "A" to By-Law No. 92-\_\_\_\_  
Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

**City of Hamilton**  
**Schedule A**  
Map Forming Part of  
By-Law No. 92-\_\_\_\_  
to Amend By-Law No. 6593  
Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**  
Change in zoning from:  
BLOCK 1 "AA" (Agricultural) District to "B" (Suburban Agriculture and Residential, etc.) District.  
BLOCK 2 "AA" (Agricultural) District to "B" (Suburban Agriculture and Residential, etc.) District, Modified.



Scale  
NOT TO SCALE

Date  
MAY, 1992

Reference File No.  
ZA 92-06

Drawn By  
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE EAST SIDE OF GARTH STREET,  
IN THE AREA BETWEEN RYMAL ROAD WEST AND CLAUDETTE GATE,  
MUNICIPALLY KNOWN AS THE SOUTHERLY PORTION OF NO. 1605 GARTH STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-17D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "DE-3" (Multiple Dwellings) District provisions, as contained in Section 10C of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirement that,

(a) Section 10E(2)(a)3. of By-law No. 6593 shall not apply.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-3" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1273.

5. Sheet No. W-17D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1273.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor

CLAUDETTE

GATE

STREET

GARTH

141.656

59.329

N 73° 37' 10" W

132.841

N 72° 05' 32" W  
26.319

N 63° 33' 06" E  
RADIUS = 142.037  
CHORD = 42.187  
ARC = 42.343

N 55° 00' 00" W  
39.624

N 35° 00' 00" E  
84.466

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-\_\_\_\_  
Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

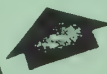
**City of Hamilton**  
**Schedule A**  
Map Forming Part of  
By-Law No. 92-\_\_\_\_\_  
to Amend By-Law No. 6593  
Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend  
Change in zoning from:



"AA" (Agricultural) District to  
"DE-3" (Multiple Dwellings)  
District, modified.

North



Scale  
NOT TO SCALE

Date  
MAY 26, 1992

Reference File No.  
ZA 91-67

Drawn By  
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

**"HOUSEKEEPING" AMENDMENTS**

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section -- of the 11th Report of the Planning and Development Committee at its meeting held on the 30th day of June 1992, recommended that By-law No. 6593 be amended to provide "housekeeping" amendments for updating and clarification of the said by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The preamble of Section 2.(2)A. of By-law No. 6593, is deleted and the following substituted therefor:

A. "Residential" shall mean designed, adapted or used as a home or residence of a family or families and shall include an apartment hotel, dwelling, multiple dwelling, maisonette dwelling, townhouse dwelling, street townhouse dwelling, hostel, hotel, motor hotel, motel, lodging house, tourist home, tourist camp, trailer camp and summer camp, foster home, residential care facility, short term care facility, a home for elderly persons, but shall not include any institutional use; and Residential District means and includes any "A", "AA", "B", "B-1", "B-2", "C", "R-2", "R-4", "D", "DE", "DE-2", "DE-3", "E", "E-1", "E-2", "E-3", "RT-10", "RT-20", "RT-30" District.

2. Section 2.(2)B.(iv) of the said by-law is deleted and the following substituted therefor:

(iv) "Nursing home" means any premises licensed as a nursing home under the Nursing Homes Act.

3. (1) Section 2.(2)C. of the said by-law is amended by renumbering clause (iii) as clause (iv).

(2) Section 2.(2)C. of the said by-law is further amended by adding the following clause thereto:

(iii) "Seminary" shall mean a school or college where persons receive religious training, with or without a dormitory.



4. The preamble of Section 2.(2)D.(ivb) of the said by-law is deleted and the following substituted therefor:

(ivb) "Restaurant" shall mean any building or premises where food is prepared and offered for sale for immediate consumption therein or elsewhere, and shall include those premises for which a Sale Licence has been issued under the Liquor Licence Act, but does not include,

5. Section 2.(2)D.(vii) of the said by-law is repealed in its entirety.

6. Section 2.(2)H.(ivd) of the said by-law is deleted and the following substituted therefor:

(ivd) "parking area" means the space occupied by any parking spaces and manoeuvring spaces whether required or not, but does not include any space occupied by an access driveway;

7. Clause (xixb) of Section 2.(2)J. of the said by-law is renumbered (xixd).

8. Clause (xxivb) of Section 2.(2)J. of the said by-law is renumbered (xxivc).

9. Section 3.(2) of the said by-law is deleted and the following substituted therefor:

(2) As provided in the Planning Act, the provisions of this By-law shall not apply,

(a) to prevent the use of any land, building or structure for any purpose prohibited by the by-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the by-law so long as it continues to be used for that purpose; or

(b) to prevent the erection or use for a purpose prohibited by the by-law of any building or structure for which a permit has been issued under section 5 of the Building Code Act, prior to the day of the passing of the by-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under section 6 of the Building Code Act.

10. Section 3 of the said by-law is amended by deleting subsection (2b) and renumbering subsections (2c) and (2d) as (2b) and (2c), respectively.

11. Section 3.(3)(ii) of the said by-law is amended by deleting the words "(allowed without these restrictions in H, I, J, and K, districts)" in the ninth and tenth lines thereof.

12. Section 3.(3)(xi) of the said by-law is amended by deleting the words "(allowed without these restrictions in H, I, J, and K, districts)" in the fifth and sixth lines thereof.

13. (1) Section 3.(3)(xiii) of the said by-law is amended by deleting the words "Hydro-Electric Power Commission of Ontario" in the third and fourth lines and substituting in lieu thereof "Ontario Hydro".

(2) Section 3.(3)(xiii) of the said by-law is further amended by deleting the words "Hydro-Electric Power Commission of the City of Hamilton" in the fourth and fifth lines and substituting in lieu thereof "Hamilton Hydro Electric System".

14. Section 3.(3)(xxii) of the said by-law is amended by deleting the words "(without these conditions, not allowed anywhere)" in the thirteenth and fourteenth lines thereof.

15. Section 3.(8) of the said by-law is amended by adding a heading entitled "BUS SHELTERS" at the introduction thereof.

16. Section 3.(9) of the said by-law is amended by adding a heading entitled "LOTS SITUATED IN TWO OR MORE ZONES" at the introduction thereof.

17. Section 4.(2) of the said by-law is amended by deleting the phrases "in Section 12" and "in Section 15" in the first and second lines, respectively.

18. Section 6 of the said by-law is amended by adding thereto the following subsection:

#### FREEWAY STANDARDS

(19) (a) Notwithstanding any other provisions of this By-law, no residential structure shall be located closer than 22.86 m (75 feet) from the Mountain Freeway right-of-way proper (excluding access ramps);

(b) Notwithstanding any other provision of this By-law, no structure shall be located within 15.24 m (50 feet) of the limits of the Mountain Freeway.

19. Section 6.(7) of the said by-law is amended by deleting the words "building and health by-laws" in the ninth line and substituting in lieu thereof "Ontario Building Code and Health By-law".

20. Section 7A(1) of the said by-law is amended by adding thereto the following clause:

(g) a private stable.

21. Section 8.(1)(xv) of the said by-law is amended by deleting the words "or private stable" at the end thereof.

22. Section 9.(1)(iv) of the said by-law is amended by deleting the words "or seminary" in the first line thereof.

23. Section 9.(1)(iva) of the said by-law is deleted and the following substituted therefor:

(iva) A seminary.

24. Section 9.(1)(vii) of the said by-law is amended by deleting the words "or private stable" at the end thereof.

25. (1) Paragraph 1 of Section 9A(2)(c) of the said by-law is amended by deleting the words "in a plan of subdivision" in the third line thereof.

(2) Paragraph 2 of Section 9A(2)(c) of the said by-law is amended by deleting the words "in a plan of subdivision" in the second and third lines thereof.

26. (1) Clause (i) of paragraph 3 of Section 9A(2)(c) of the said by-law is amended by deleting the words "within a plan of subdivision" at the end thereof.

(2) Clause (ii) of paragraph 3 of Section 9A(2)(c) of the said by-law is amended by deleting the words "within a plan of subdivision" at the end thereof.

27. Paragraph 1 of Section 9A(4)(d) of the said by-law is amended by deleting the reference to "Section 18" in the first line and substituting in lieu thereof "Section 18A".

28. Section 10.(1)(xi) of the said by-law is deleted and the following substituted therefor:

(xi) a district yard of a municipal corporation;

29. Section 10A(1)(i) of the said by-law is deleted and the following substituted therefor:

(i) any use permitted in a "D" district except a district yard of a municipal corporation.

30. Section 10B(1)(i) of the said by-law is deleted and the following substituted therefor:

(i) any use permitted in a "D" district except a district yard of a municipal corporation.

31. Section 10C(1)(i) of the said by-law is deleted and the following substituted therefor:

(i) any use permitted in a "D" district except a district yard of a municipal corporation.

32. Section 10C(2) of the said by-law is amended by adding a heading entitled "HEIGHT REQUIREMENTS" at the introduction thereof.

33. Section 10F(4)(a) of the said by-law is deleted and the following substituted therefor:

(a) a front yard of a depth of not less than 6.0 metres (19.69 feet);

34. Section 11.(1)(xi) of the said by-law is deleted and the following substituted therefor:

(xi) One ground sign, wall sign or projecting sign, of an area of not more than 0.4 square metres (4.31 square feet), non-illuminated or illuminated by non-flashing, indirect, or interior means only, located at least 1.5 metres (4.92 feet), from the nearest street line in connection with a lodging house, tourist home, nursing home, residential care facility or short-term care facility.



35. Section 11.(1)(xi) of the said by-law is amended by renumbering paragraphs (a), (b) and (c) after the end of clause (h) as (i), (j) and (k), respectively.

36. Paragraph (xi) of Section 11.(1) on page 11-4 of the said by-law is renumbered (xii).

37. Section 11.(3) of the said by-law is amended by adding a heading entitled "AREA REQUIREMENTS" at the introduction thereof.

38. Section 11.(6) of the said by-law is amended by deleting the word "lot" in the fourth line and substituting in lieu thereof "structure".

39. Section 11A(1)(i) of the said by-law is amended by deleting the words "the city" in the third line and substituting in lieu thereof "a municipal".

40. Section 11A(6) of the said by-law is amended by deleting the word "lot" in the fourth line and substituting in lieu thereof "structure".

41. (1) Paragraph (viii) of Section 11B(1) of the said by-law, beginning "Any or all of the following...", is renumbered (ix).

(2) Section 11B(1)(ix) of the said by-law is amended by adding a heading entitled "ACCESSORY AND INCIDENTAL USES" at the introduction thereof.

42. (1) Section 11B(6) of the said by-law is amended by deleting the word "lot" in the fourth line and substituting in lieu thereof "structure".

(2) Section 11B(6) of the said by-law is amended by adding a heading entitled "LANDSCAPED AREA" at the introduction thereof.

43. Section 11C(1a)(b) of the said by-law is deleted and the following substituted therefor:

- (b) except as provided in clause (c), where a building or structure is distant not greater than 30.0 metres (98.43 feet), from a "DE", "DE-2", "DE-3", "RT-10", "RT-20", or "RT-30" District, the height of a building or structure shall not exceed twelve storeys or 39.0 metres (127.95 feet) in height;

44. Section 11C(1a)(c)(ii) of the said by-law is deleted and the following substituted therefor:

- (ii) "DE", "DE-2", "DE-3", "RT-10", "RT-20" and "RT-30" district, the height of a building or structure shall not exceed eighteen storeys or 57.0 metres (187.01 feet) in height.

45. Section 12.(1)(i) of the said by-law is amended by adding a heading entitled "RESIDENTIAL USES" at the introduction thereof.

46. (1) Paragraph (ii) of Section 12.(1) of the said by-law is renumbered (iv).

(2) Section 12.(1)(iv) of the said by-law is amended by adding a heading entitled "PUBLIC USES" at the introduction thereof.



47. Paragraph (iv) of Section 12.(1) of the said by-law is renumbered (v).

48. (1) Paragraph (v) of Section 12.(1) of the said by-law is renumbered (vi).

(2) Section 12.(1)(vi) of the said by-law is amended by adding a heading entitled "COMMERCIAL USES" at the introduction thereof.

49. Paragraph (vi) of Section 12.(1) of the said by-law is renumbered (ii).

50. Section 12.(1)(ix) of the said by-law is amended by adding a heading entitled "ACCESSORY USES" at the introduction thereof.

51. Section 13A(1)(xiii) of the said by-law is amended by adding the word "section," before the word "specifically" in the second line thereof.

52. Section 13B(1)(c) of the said by-law is deleted and the following substituted therefor:

- (c) A restaurant with or without dancing or other entertainment;

53. Section 13B(7) of the said by-law is deleted and the following substituted therefor:

- (7) Subsection 6 of section 6 and By-law No. 79-275 shall not apply to clauses (g), (h) and (j) of subsection 1.

54. Section 13C(3)(ii) of the said by-law is deleted and the following substituted therefor:

- (ii) no side yard or rear yard shall be required except for a minimum 1.5 metres (4.92 feet) yard where any public parking lot, access driveway, parking space, loading space and manoeuvring space adjoins a residential district. Furthermore, there shall be provided and maintained between the boundary of the parking lot, access driveway, parking space, loading space and manoeuvring space and the residential district, an area landscaped with a planting strip.

55. Section 14.(1)(xviii) of the said by-law is amended by deleting the words "Any industrial use as permitted in a G district or" at the beginning thereof.

56. Section 14A(1)(ca) of the said by-law is deleted and the following substituted therefor:

- (ca) A restaurant with or without dancing or other entertainment;

57. Section 14A(3)(a) of the said by-law is amended by adding a comma and the words "including a canopy," after the word "islands" in the twenty-first line thereof.

58. Section 15.(1)(xxiv) of the said by-law is amended by deleting the words "of Miscellaneous Products industry as classified in the reports of the Dominion Bureau of Statistics for Manufacturing Industries published in the year A.D. 1948" in the ninth, tenth, eleventh and twelfth lines and substituting in lieu thereof "as listed in Major Group 39 - (Other Manufacturing Industries) of the Standard Industrial Classification (SIC), 1980 by Statistics Canada".

59. Section 15A(3)(d) of the said by-law is renumbered Section 15A(4).

60. (1) Paragraphs 7 through 26 of Section 15B(3)(b) of the said by-law are renumbered 1 through 20, respectively.

(2) Paragraph 10 of Section 15B(3)(b) of the said by-law is deleted and the following substituted therefor:

10. A restaurant without any dancing or other entertainment except music, including a take-out and delivery food service.

61. Section 15B(3)(e) of the said by-law is amended by deleting the word "subclauses" in the second line and substituting in lieu thereof "clauses".

62. Section 15B(4) of the said by-law is amended by adding the word "and" after "'CR-2'" in the first line thereof.

63. Section 15B(10) of the said by-law is amended by adding "'CR-1", "CR-2" and" before "'CR-3'" in the first line thereof.

64. Section 15B(11)(a) of the said by-law is amended by deleting the words "lot is located" in the third and fourth lines and substituting in lieu thereof "the lot is located,".

65. Section 15B(27) of the said by-law is amended by adding the words "located on the same lot" at the end thereof.

66. Section 16.(1)(i) of the said by-law is amended by deleting the word "of" in the first line and substituting in lieu thereof "for".

67. Section 16.(1)(vi) of the said by-law is deleted and the following substituted therefor:

(vi) a dry-cleaning establishment, solid fuel supply yard, or a fuel-oil storage tank or gasoline storage tank;

68. Section 16B of the said by-law is repealed in its entirety.

69. Section 17B.(1)(i) of the said by-law is amended by deleting the words "row dwellings" in the fifth line and substituting in lieu thereof "townhouse dwellings, maisonette dwellings".

70. Section 17B(6)(a) of the said by-law is amended by deleting the number "35" in the third line and substituting in lieu thereof "34".

71. Paragraph E of Section 17B(6)(a)(i) of the said by-law is amended by deleting the ";" at the end and substituting in lieu thereof ", or".

72. Section 17B(6)(a)(i) of the said by-law is amended by adding the following thereto:

F. "R-2" (Urban Protected Residential - One and Two Family Dwellings) district, or

G. "R-4" (Small Lot Single-Family Detached) district;

73. Paragraph J of Section 17B(6)(a)(v) of the said by-law respecting the "M-11" (Prestige Industrial) district, is relettered "M.".

74. Section 18.(1) of the said by-law is deleted and the following substituted therefor:

(1) Notwithstanding the provisions of sections 3 to 17 inclusive, no land, building or structure shall be used in the area covered by this by-law for any commercial or industrial purpose likely to create danger to health or danger from fire or explosion and specified following, namely;

75. Section 18.(1a) of the said by-law is repealed in its entirety.

76. Section 18.(4)(if) of the said by-law is deleted and the following substituted therefor:

(if) All facilities for changing clothes in conjunction with swimming pools, or other such accessory uses shall be subject to the provisions of this by-law applicable to accessory buildings.

77. Section 18.(4)(v) of the said by-law is deleted and the following substituted therefor:

(v) Notwithstanding any other provisions of this by-law, a swimming pool pump, swimming pool heater, filtering equipment, central air conditioning unit, window air conditioning unit or heat pump in a residential district shall be distant not less than,

(a) 5.0 metres measured from the front lot line or rear lot line; and

(b) 2.4 metres from the side lot line;

of the property on which the swimming pool pump, swimming pool heater, filtering equipment, air conditioner or heat pump is situate.

78. Section 18.(5) of the said by-law is amended by adding the word "successful" after the word "upon" in the third line thereof.

79. The heading of Section 18.(8) of the said by-law is deleted and the following substituted therefor:

SPECIAL REQUIREMENTS FOR GROUPS OF TOWNHOUSE DWELLINGS,  
MAISONETTE DWELLINGS, MULTIPLE DWELLINGS, ETC.



80. Section 18.(10)(i) of the said by-law is amended by adding a heading entitled "SETBACK OF BUILDINGS" at the introduction thereof.

81. Section 18A(5)(c) of the said by-law is deleted and the following substituted therefor:

- (c) the area contained within the perimeter of the building at each floor level including storeys below grade, other than a cellar;

82. Section 18A of the said by-law is amended by adding the appropriate Table headings, as follows:

- TABLE 1 - MINIMUM REQUIRED PARKING FOR RESIDENTIAL, INSTITUTIONAL, PUBLIC AND COMMERCIAL USES
- TABLE 2 - MINIMUM REQUIRED RESIDENTIAL VISITOR PARKING
- TABLE 3 - MINIMUM REQUIRED LOADING SPACE - MULTIPLE DWELLINGS
- TABLE 4 - MINIMUM REQUIRED LOADING SPACE FOR COMMERCIAL USES
- TABLE 5 - MINIMUM REQUIRED LOADING SPACE FOR OFFICE USES
- TABLE 6 - MINIMUM REQUIRED MANOEUVRING SPACE FOR PARKING AREAS
- TABLE 7 - REDUCED PARKING REGULATIONS FOR INSTITUTIONAL, PUBLIC AND COMMERCIAL USES

83. Section 18A(36)1.(b) of the said by-law is deleted and the following substituted therefor:

- (b) a distance of not less than 12.0 metres (39.37 feet) between a residential district and the driveway and the parking area and manoeuvring area used in conjunction with a restaurant;

84. Clause 1.(j) in column 1 of TABLE 1 of Section 18A of the said by-law is amended by adding the words "Tourist Home;" after the word "Hostel;"

85. Section 5 of By-law No. 67-357, passed on the 19th day of December 1967, is deleted and the following substituted therefor:

5. The said Zoning By-law No. 6593 is further amended by adding this amending By-law to Section 19B as Schedule "S-58" for those lands identified in Section 1 of this By-law.

86. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

87. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor



## The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

By-law No. 90-074

Respecting

## DEVELOPMENT CHARGES

WHEREAS By-law 90-074 was passed on March 27, 1990;

AND WHEREAS City Council, on April 28, 1992, in adopting Item 14 of the 11th Report of the Finance and Administration Committee, authorized the holding of a public meeting as required by Section 4 of the Development Charges Act, R.S.O. 1990, Chapter D.9.;

AND WHEREAS a Notice of the public meeting was given by advertisement in The Hamilton Spectator on June 4, 1992 and June 5, 1992;

AND WHEREAS the public meeting was held on June 25, 1992, which is at least twenty days after the first publication;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Finance and Administration Committee, has heard all persons who applied to be heard no matter whether in objection to or in support of the by-law;

AND WHEREAS the Council of The Corporation of the City of Hamilton at its meeting on June 30, 1992 in adopting Item 53 of the 14th Report of the Finance and Administration Committee authorized this by-law to be enacted.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection (1) of Section 8 of By-law 90-074 is repealed and the following is substituted in lieu:

8. (1) Subject to the provisions of this part and this by-law, development charges against land to be developed for residential use shall be calculated and collected at the following base rates:

<u>Type of Residential Unit</u>	<u>Per Unit</u>
- Single detached dwelling, semi-detached dwelling, row dwellings	\$1,723.20
- two or more bedroom apartment	\$1,216.38
- bachelor and one-bedroom apartment	\$ 658.87

2. Subsections (1) and (2) of Section 13 are repealed and the following are substituted in lieu:

13 (1) Subject to the provisions of this part and this by-law, development charges against land to be developed for non-residential use shall be calculated and collected at the base rate of \$6,927.60 per hectare.

(2) Where the gross floor area of a building is greater than 50% of the gross area of the lot on which the building is or is to be located, a surcharge shall be applied at the rate of \$1.4208 per square metre to that portion of the building that is greater than 50% of the gross area of the lot.

3. (1) The changes in the development charges rates described in Sections 1 and 2 of this by-law are effective as of January 1, 1992.

(2) Notwithstanding subsection (2) of Section 18 of By-law 90-074, the City Treasurer is authorized to make any refund required by this By-law to the owner of the property who made the payment or on whose behalf the payment was made.

PASSED this                      day of                      , A.D. 1992.

City Clerk

Mayor

(1992) 14 R.F.A.C. 53, June 30

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend By-law 79-323 Respecting the Licensing of:

TAXI CABS AND LIVERY VEHICLES

WHEREAS Schedule 4a of The City of Hamilton Licensing Code, being By-law 79-323 as amended, provides for the licensing of passenger automobiles providing school transportation as Class "C" livery vehicles, and Schedule 4 of the same by-law provides for the licensing of taxi cabs;

AND WHEREAS it is considered desirable and expedient to have only taxi cabs conduct the activity that was carried on by Class "C" livery vehicles;

AND WHEREAS it is considered desirable and expedient to consolidate the by-laws which previously made amendments to Schedules 4 and 4a, and to correct grammar and syntax errors;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedules 4 and 4a, respecting taxi cabs and livery vehicles, of City of Hamilton By-law No. 79-323 as amended, are repealed and the attached schedules, which are included in and form part of this by-law, are hereby substituted as Schedules 4 and 4a of By-law No. 79-323.

PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor

(1992)

## SCHEDULE 4

### TAXI-CABS

#### 1. In this Schedule,

1. "City" means the City of Hamilton;
2. "driver's licence" means a licence issued to a taxi-cab vehicle driver under this by-law and "licensed driver" has a corresponding meaning;
- 2a. "Goods and Services Tax Legislation" shall mean an Act or Acts of the Parliament of Canada which, respectively has or have the effect of imposing a tax on goods and services on the value of such goods and services;  
(90-357)
- 2b. "hourly rate" means the rate set by paragraph 1 of section 34;
3. "limited interest agreement" means a written agreement in FORM 4 wherein a limited interest in a licence is temporarily transferred by a plate owner, and containing terms and conditions prescribed in section 17(4) and any other terms and conditions not contrary to this by-law;
4. "livery vehicle" means a vehicle licensed under Schedule 4a of this by-law.  
(new)
5. "owner" includes the owner of a vehicle or a purchaser of a vehicle under contract, agreement, understanding or arrangement;
6. "owner's licence" means, as the case may be,
  - (i) a licence taken out by a vehicle owner authorizing the use of the vehicle as a taxi-cab; or
  - (ii) a limited interest licence taken out by a plate user authorizing the use of the vehicle as a taxi-cab;
7. "plate owner" means a person who holds a taxi-cab licence but who has ceased owning the taxi-cab respecting which the licence was issued;
8. "plate user" means an individual owner who enters into a limited interest agreement with a plate owner;
9. "private cab" means a taxi-cab which uses a two-way radio or other form of dispatch to locate passengers, but does not include a public cab; (new)



10. "public cab" means a taxi-cab that operates from a public taxi-cab stand, and is without a two-way radio or other form of radio dispatch to locate passengers not at a public taxi-cab stand; (new)
11. "public taxi-cab stand" means a stand or place on a highway assigned by the City for the purpose of providing a site for the congregation of public taxi-cabs awaiting passengers;
12. "spare vehicle" means a vehicle that can be used as a taxi-cab in substitution of a vehicle in respect of which an owner's licence has been issued, pursuant to the provisions of this by-law;
13. "taxi-cab" means a motor vehicle as defined in the Highway Traffic Act, having a seating capacity of not more than six persons, exclusive of the driver, hired for one specific trip for the transportation exclusively of one person or group of persons, one fare or charge only being collected or made for the trip, but does not include a livery vehicle; (new)
14. "taxi-cab broker" means any person who accepts calls in any manner for taxi-cabs that are used for hire and that are owned by a person other than the taxi-cab broker, his or her immediate family, or his or her employer;
15. "taxi-cab driver" means a person whose occupation is driving a taxi-cab;
16. "taxi-cab owner" means, as the case may be,
  - (i) a person who is the owner of a taxi-cab; or
  - (ii) a plate user;
  - (iii) a person referred to in clauses (i) or (ii) to whom an owner transfers his or her licence.

## PART 1

### Administration

- 2.(1) Every person who is and carries on business as,
- (a) a taxi-cab owner;
  - (b) a taxi-cab driver;
  - (c) a taxi-cab broker,

shall obtain from the City a licence authorizing that person to carry on or engage in the trade, calling or business of conveying passengers for hire in a taxi-cab.

(2) No person required to obtain a licence under Subsection (1) shall carry on or engage in the trade, calling or business of conveying passengers for hire in a taxi-cab without a licence.

(3) Where a person is required to obtain a licence under Subsection (1),

(a) a separate licence certificate shall be issued for each licence applied for, and

(b) a separate licence certificate shall be issued for each taxi-cab.

(4) Every licence certificate issued to a taxi-cab owner or a taxi-cab broker shall clearly identify the one vehicle in respect of which the licence was issued to the taxi-cab owner or taxi-cab broker.

(5) Notwithstanding the provisions of this schedule, a taxi-cab owner's licence may be issued for or transferred to a vehicle which has seating for more than six passengers, provided that all other requirements of this schedule are complied with, not limited to but including the requirements for issuance of the licence and operation of the vehicle. (new)

3. Notwithstanding any other provision of this schedule, no taxi-cab owner's licenses shall be issued, except for renewals or transfers approved, until Council authorizes the issuance of the licenses for that year. (new)

4.(1) Every applicant for a broker's licence, an owner's licence or a driver's licence, or a renewal of the licence shall attend at the office of the Issuer of Licences and make and file an application in person and not by an agent or representative.

(2) Where a taxi-cab is owned by,

(a) a partnership, a partner shall attend for the purpose of subsection (3);

(b) a limited company, the chief operating officer of the company shall attend for the purpose of subsection (3).

(3) Every applicant for an owner's licence shall fully complete an application on FORM 1 hereto annexed as Schedule "A".

(4) Every applicant for a driver's licence shall fully complete an application on FORM 2 hereto annexed as Schedule "B".

(5) No application shall be accepted as made and filed unless shown therein are,

(a) the approval of the taxi-cab owner, and

(b) the approval of the taxi-cab broker as to whose place of business that taxi-cab is located.

(6) Every applicant for a licence as a taxi-cab driver shall, in addition to any other information required under this Schedule, with every application and renewal of application,

(a) provide for inspection by the Issuer of Licences, a Class G licence issued under The Highway Traffic Act; and

(b) sit for a photograph to be taken by the Licence Administrator at the expense of the applicant.

5.(1) Every applicant for a licence shall, before a licence is issued, undertake and successfully complete one or more written tests pertaining to his or her knowledge of,

(a) the operation of a taxi-cab, and of this by-law, as it relates to taxi-cabs and livery vehicles;

(b) the laws and regulations pertaining to traffic and motor vehicles;

(c) the relationship between taxi-cab drivers and livery vehicle drivers in respect of passengers including duties, behaviours, appearance, decorum;

(d) the use of the equipment part of taxi-cabs including two-way radio, taximeter, and roof lights;

(e) the use of trip sheets, making damage reports and record keeping; and

(f) the location of streets, public buildings, hospitals, transportation terminals, points of interest and use of street guides.

(2) Notwithstanding any other provision of this Schedule, no licence shall be issued to an applicant unless,

(a) the applicant achieves not less than 70% on each test required to be undertaken; and

(b) the applicant has a photo identification taken by the city.

6.(1) Before a licence is issued, the taxi-cab owner or taxi-cab driver may provide a medical certificate on a form supplied by the City signed by a duly qualified medical



practitioner in the Province of Ontario, certifying that the owner or driver of the taxi-cab is physically and mentally fit to drive a taxi-cab.

(2) Every taxi-cab owner and taxi-cab driver shall provide a certificate of the Medical Officer of Health of the City as to the health of the owner or driver from time to time as the City may require by notice in writing delivered by first class mail to the owner or driver at his business address or place of residence.

7. Every taxi-cab broker, taxi-cab owner and taxi-cab driver shall be at least eighteen years of age.

8. Every taxi-cab broker, taxi-cab owner and taxi-cab driver shall notify the Issuer of Licences within 7 days of a change of address and produce his or her licence for that change of address to be entered.

9.(1) No transfer of an owner's licence certificate from a taxi-cab owner to a purchaser of the licence shall be approved unless,

(a) the purchaser makes and files an application on FORM 3, hereto annexed as Schedule "C", and pays the transfer fee;

(b) the purchaser files a statutory declaration at the time of application that all provisions of this Schedule respecting the condition of the vehicle and requirements thereon under this by-law have been complied with; and

(c) the purchaser files a statutory declaration by the vendor of the vehicle and the purchaser of the taxi-cab to which is attached an executed copy of the agreement of purchase and sale showing full financial details of the transaction, and any other details as requested by the Licence Administrator.

(2) Nothing in subsection (1) shall obligate the City to approve the transfer of the licence.

10. No licensee who is the holder of a licence as a taxi-cab owner shall enter into any written or oral agreement, directly or indirectly, permitting or acquiescing in the operation of the taxi-cab for which the licence was issued, by any other person who is not a licensed taxi-cab driver.

11.(1) No person being the owner of a taxi-cab equipped with a taxi-meter and to whom a licence has been issued shall, without the approval of the Licence Committee, carry on or permit to be carried on the business of conveying passengers for hire in a taxi-cab or permit any person to drive the taxi-cab for hire, where the monetary interest of the person to whom a licence has been issued is less than 50% of the fair market value of the taxi-cab.



(2) For the purpose of subsection (1), "fair market value" is an amount that a licensed taxi-cab equipped with a taxi-meter might be expected to realize if sold in the open market by a willing seller to a willing buyer, but not more than an amount determined by the Licence Committee.

## PART 2

### Taxi-cab Owners

12. Every taxi-cab owner shall comply with the following regulations:

1. Before acting as a taxi-cab driver,

(a) comply with all the requirements for the issuance of a taxi-cab driver's licence under Section 3, except that payment of the fee for issuance of a driver's licence shall not be required; and

(b) obtain the approval of the Licence Committee, duly endorsed and shown on the owner's licence.

2. Before issuance of an owner's licence, provide the City, in writing, with the following information in respect of every vehicle to be used as a taxi-cab vehicle,

(a) certificate of ownership,

(b) certificate of insurance, and

(c) a current Safety Standard Certificate as issued by the Ministry of Transportation.

3. For each taxi-cab for which the owner holds a licence, and before use of the taxi-cab,

(a) where the taxi-cab is to be used for the carrying of parcels, letters, documents, goods or chattels, obtain a policy or policies of insurance in respect of same;

(b) obtain a policy of insurance in respect of the taxi-cab in an amount not less than \$500,000.00, exclusive of interest and costs, against loss or damage resulting from bodily injury to or death of one or more persons or from loss or damage to property resulting from any one accident;

(c) provide a special endorsement to the policy of insurance referred to in clause (a), for passenger hazard in an amount not less than \$500,000.00, exclusive of interest and costs; and

(d) cause to be endorsed on the policy of insurance referred to in clause (a), that the City shall be given at least ten days prior notice of any cancellation, expiration or change in the amount of the insurance or in terms of the policy;

(e) deposit a certified true copy of the policy of insurance and all endorsements with the City.

4. Maintain the policy of insurance referred to in regulation 3 of this section in force and effect during the entire period of time for which the licence is issued and in force and effect.

5. Use or permit to be used a taxi-cab only where prior to its use,

(a) the owner has produced a registration issued under the Highway Traffic Act, in respect of the class of motor vehicle to be used as a taxi-cab;

(b) the City has been informed of any changes in the motor vehicle registration;

(c) the owner has submitted the motor vehicle to the City for inspection and approval and has obtained authorization for the vehicle to be used; and

(d) the taxi-cab is equipped with a two-way radio where the taxi-cab owner is the plate user.

6. Subject to The Highway Traffic Act, not use or permit to be used any taxi-cab that does not have affixed to the vehicle,

(a) a City of Hamilton licence plate having an identity number and clear indication that the taxi-cab is licensed for use in the taxi-cab business as either a public taxi-cab or a private taxi-cab; or

(b) a duplicate licence plate, as may be supplied by the City at the expense of the owner of a taxi-cab where the original licence plate has been lost, defaced or destroyed.

7. Affix to the back of each taxi-cab in a manner and in a position approved by the City any taxi-cab licence plate issued by the City and maintain the licence plate only in the approved position during the period for which the licence is in force and effect.

8. Affix a taxi-cab licence plate to a spare vehicle registered under Part 5 of this Schedule only with the consent of the City and in accordance with the provisions of Part 5 of this Schedule.

9. Affix to both sides of the exterior of every vehicle a number, in sequence designated by the City, which is,

- (a) not less than six inches in height;
- (b) in contrasting colours to the colour of the vehicle; and
- (c) affixed in a location approved by the City.

10. Permanently and securely affix on top of the taxi-cab an illuminated sign approved by the City and connected to the taximeter,

- (a) indicating the word "taxi"; or
- (b) indicating the name and telephone number of the licensed owner of the taxi-cab, or the taxi-cab broker with whom the taxi-cab is associated.

11. Equip each taxi-cab with a taxi-meter, for the calculation and display of the costs of a trip, capable of meeting the requirements of paragraph 12 below. (new)

12. Cause each taxi-meter to be,

- (a) submitted for the testing, inspection and sealing by such person as the Chief Licence Inspector designates and at such times and locations as designated;
- (b) illuminated between sunset and sunrise;
- (c) in a raised position, such that the charges are plainly visible to, and readable by, all passengers;
- (d) adjusted in accordance with the rates prescribed by PART 12 of this Schedule;
- (e) tested and approved by the Chief Licence Inspector, by running the taxi-cab to which it is attached over a measured track, route, or distance, or by suitable mechanical means, before being sealed;
- (f) used only when the seal thereon is intact;
- (g) kept in good working condition at all times and not used when defective in any way;
- (h) numbered and not used until approved by the Chief Licence Inspector or other person designated by the City;



(i) used only if the taxi-meter is connected with the electric sign referred to in Regulation 11 of this section in such a manner that the sign is lighted when the taxi-meter is extinguished and not operating when the taxi-meter is operating.

(90-357)

13. Affix and maintain affixed an approved tariff card, containing rates in accordance with those set out in PART 12 of this Schedule, and specifying goods and services tax, in a place in the taxi-cab in such a manner that the tariff of charges is plainly visible to, and readable by, all passengers.

(90-357)

14. Cause a taxi-cab to be submitted for inspections from time to time by such person and at such times and places as the City may designate.

15. Make such improvements or repairs to the taxi-cab, its equipment or any component thereof as may be required by the City and within such time period specified by the City, to such standards as may be approved by the Licence Committee.

16. Immediately check for mechanical defects in the taxi-cab reported by a driver.

17. Not operate or permit to be operated as a taxi-cab any vehicle not in good mechanical condition.

18. Not operate or permit to be operated as a taxi-cab any vehicle unless a Motor Vehicle Safety Certificate on a form and in a manner approved by the Province of Ontario has been filed with the City in a manner and frequency approved by the Licence Committee.

19. Display or permit to be displayed, no advertisement, whether a sign, picture or painted message, on or in the taxi-cab except,

(1) Not more than five interior advertising signs, each not exceeding 26 centimetres by 31 centimetres in size, placed on the back of the front seat in such a way as to not obscure the vision of the driver, or the view from the rear seat of the vehicle of the photo identity card, meter, licence and tariff card; and;

(2) One rooftop mounted sign with interior illumination, provided that;

(a) the sign does not exceed 122 centimetres in length, 79 centimetres in width, and 46 centimetres in height,



(b) the sign is securely mounted to the vehicle, so that the sign and any advertising materials exhibited are unlikely to loosen or separate from the vehicle during operation,

(c) if the said rooftop sign obstructs or replaces any taxi roof sign required under paragraph 10 of section 12 of this Schedule, the vehicle shall have visible, from the front and rear of the vehicle, a rooftop sign with the same operation and content as that required under the said paragraph 10, indicating the name, number and owner of the taxi-cab, or its brokerage, and

(d) further provided that upon the addition of the rooftop sign to the vehicle, any exterior advertisement, except those for the taxi-brokerage but including the type mentioned in sub-paragraph (3), must be removed the sooner of when the vehicle is repainted, replaced, or the second anniversary of the date of passage of this by-law.

(3) One exterior painted advertisement measuring not more than 16 centimetres by 92 centimetres in size, provided that said advertisement is painted on the rear end of the vehicle and does not cover the licence plates, unless the rooftop sign permitted in sub-paragraph (2) above is added to the vehicle, in which case clause (d) above applies to the removal of the advertisement.

(90-338)

20. Not employ or permit any person other than a licensed taxi-cab driver employed by the taxi-cab owner to operate his or her taxi-cab.

21. At the request of a taxi-cab driver, give to the driver at the expiry of the driver's work shift a receipt showing the amount turned over to the owner by the driver.

22. Maintain a trip record on FORM 5 hereto annexed as Schedule "E" or a reasonable facsimile thereof of every trip, for a period of not less than three months or for such longer period as may otherwise be specified by the City by notice in writing, upon which each of the taxi-cabs is dispatched.

23. Permit the City or any person authorized by the City to remove the records referred to in regulation 22 for the purpose of inspection.

## PART 3

## Limited Interest Agreements

13.(1) Notwithstanding any provision of this Schedule, a plate owner may continue to hold a licence issued to that person as owner of a taxi-cab.

(2) A plate owner may enter into a limited interest agreement for use of the vehicle as a taxi-cab.

(3) No agreement except a limited interest agreement shall establish the eligibility of a plate user for a limited interest owner's licence.

(4) No plate owner shall transfer directly or indirectly or purport to transfer any limited interest in a taxi-cab owners licence to any person other than a plate user.

(5) No plate user shall transfer the whole or any part of a limited interest owner's licence to any other person and any such direct or indirect transfer is null and void.

14.(1) Every person who seeks to be a plate user shall complete the limited interest agreement on FORM 4 hereto annexed as Schedule "D", along with the plate owner.

(2) No more than two limited interest agreement shall be entered into by a plate owner in respect of the licence issued to the plate owner and any transfer of more than two limited interest agreement in the licence is null and void.

(3) Every limited interest agreement shall be filed with the Issuer of Licences prior to any transfer or rights to the plates and at least seven days before the date on which the limited interest agreement comes into force, whichever is first.

(4) No application for a limited interest owner's licence shall be accepted unless the limited interest agreement on FORM 4 hereto annexed as Schedule "D" is fully completed and duly executed and witnessed.

(5) Where a limited interest agreement referred to in Section 13(2) is for a period in excess of one year, the plate user shall file with the City within seven days of the date on which the yearly period ends,

(a) a notice in writing satisfactory to the Issuer of Licences that the agreement is in full force and effect and has not been revised, amended, altered or changed in any way; or

(b) a copy of the revised, amended, altered or changed agreement.



15. Every limited interest agreement shall include the following information set out in a manner and in a form satisfactory to the Issuer of Licences:

1. The name and business address of the plate owner and plate user.
2. The make, model, serial number, year of taxi-cab and full description of all equipment appurtenant thereto and serial numbers, if any.
3. The motor vehicle permit plate number issued under The Highway Traffic Act.
4. The City of Hamilton taxi-cab licence number and year.
5. The date on which the plate owner was issued the licence proposed to be the subject of the limited interest agreement.
6. That the plate user is the sole owner in his or her right of the taxi-cab.
7. The plate user is the holder of a current motor vehicle permit issued under The Highway Traffic Act.
8. Full particulars of all consideration given by each party to the limited interest agreement, in money or in any other kind, direct or indirect including fees or rental, and a breakdown of all other amounts given by the plate user to the plate owner, together with a list of all services, rights or other consideration given to the plate user by the plate owner in return therefor.
9. Full particulars as to the responsibility of each of the parties for the maintenance, repairs, gas and oil for the taxi-cab, and any requirements as to where and how such maintenance, repairs or purchases are to be made and as to payment therefor.
10. A term to the effect that where the plate user transfers or purports to transfer the limited interest, that the limited interest agreement is immediately terminated on a date fixed by the plate owner.
11. Date of termination of the limited interest agreement and in the case of a periodic limited interest agreement, particulars as to whether the agreement is on a daily, weekly, monthly, yearly or other basis.
12. Date on which the limited interest agreement comes into force and date of execution by the parties and date the agreement is witnessed.

16. The amount of consideration in the limited interest agreement upon approval by the Licence Committee shall be deemed to be full and fair, and no additional consideration shall be required, directly or indirectly, from the plate user.

17.(1) Every limited interest agreement and every written agreement referred to in Section 14(5), shall expire upon the sale or other disposition of the taxi-cab by the plate user.

(2) A limited interest licence taken out by a taxi-cab owner shall expire on the date the plate user ceases using the vehicle as a taxi-cab or otherwise transfers ownership in the vehicle to another person.

(3) When a limited interest agreement is for a term of more than seven days, the limited interest agreement may be terminated upon seven days notice in writing to the other party and to the City.

(4) Every plate owner and every plate user shall notify the Issuer of Licences in writing, of the expiration or termination of the limited interest agreement not later than seven days after the date of expiration or termination and include in the notice the following information:

1. The proposed use of the taxi-cab, if any.
2. The name and address of any other proposed plate user of the taxi-cab.
3. The identify of the person having custody and control of the taxi-cab after the date of expiration or termination.

#### PART 4

##### Taxi-cab Drivers

18. Every taxi-cab driver shall comply with the following regulations:

1. Not drive a taxi-cab unless a valid taxi-cab driver's licence has been issued to him or her.
2. Operate a taxi-cab only if the taxi-cab is,
  - (a) in clean condition as to its interior and exterior;
  - (b) in good repair as to its interior and exterior;
  - (c) dry as to its interior;



(d) free from mechanical defects;

(e) in fit condition for the purpose for which the vehicle is used; and

(f) in safe driving condition.

3. Examine the taxi-cab for any defects,

(a) immediately before the taxi-cab is to be driven for a shift; and

(b) immediately after the taxi-cab has been driven during a shift.

4. Not drive a taxi-cab unless the taxi licence plate issued by the City is affixed, as required by this Schedule, to the taxi-cab for which it was issued.

5. Subject to Part 5, not drive a spare vehicle as a taxi-cab without a taxi licence plate affixed to it in a manner and location approved by the City.

6. Carry his or her taxi-cab driver's licence with him or her at all times while operating the taxi-cab.

7. Immediately produce for inspection, the taxi-cab driver's licence and the Province of Ontario driver's licence upon request to do so by a by-law enforcement officer or police officer.

8. Operate only from a public taxi-cab stand, where the taxi-cab is a public taxi-cab.

9. Not drive a taxi-cab with luggage or other material piled or placed in a manner that obstructs the view of the taxi-cab driver.

10. Not carry in a taxi-cab used for hire a greater number of occupants or persons than the manufacturer's rating of seating capacity of such taxi-cab, inclusive of the driver.

11. Affix and maintain affixed when driving a taxi-cab a photo identity card in a place in the taxi-cab approved by the Licence Committee and in such a manner that the photograph and name are plainly visible and readable by a passenger in the back seat.

12. Not drive a taxi-cab unless an illuminated sign as required by this Schedule, is displayed on the roof.

13. Not drive a taxi-cab unless the City's current licence number is displayed as required by this Schedule.

14. Not drive the taxi-cab unless the taxi-meter is installed and in proper working condition and is illuminated and sealed.

15. Not wash or clean the taxi-cab while upon a public taxi-cab stand.

16. Not make repairs to the taxi-cab while upon a public taxi-cab stand unless the repairs are immediately required to render the taxi-cab operable.

17. While in charge of a taxi-cab,

(a) maintain his or her person in a neat and clean appearance; and

(b) be civil, well-behaved and polite in manner.

18. While in charge of a taxi-cab at a public taxi-cab stand,

(a) stand or sit sufficiently close to the taxi-cab so as to have it under constant close observation;

(b) not obstruct the use of the sidewalk; and

(c) not make any loud noise or disturbance.

19. Not induce any person to employ the taxi-cab,

(a) by knowingly misleading or deceiving such person as to the location or distance of any place; or

(b) by making any false representation to such person.

20. Not take on any additional passengers after the taxi-cab has departed with one or more passengers from a starting point except where,

(a) the taxi-cab is being used for the transportation of students to or from school,

(b) the taxi-cab driver has obtained the voluntary consent of the passengers already in the taxi-cab, or

(c) an emergency condition exists and has been declared such by the Chief of Police.

21. Not refuse to serve the first person requesting service of the taxi-cab, except where the person,

- (a) owes the taxi-cab driver for a previous fare or service;
- (b) refuses to disclose his or her final destination before or immediately after entering the taxi-cab;
- (c) asks to be driven to any place that the taxi-cab driver considers on reasonable grounds to be unsafe;
- (d) is obnoxious or abusive, or acts or uses language in a manner which reasonably leads the taxi-cab driver to anticipate,
  - (i) obnoxious behaviour,
  - (ii) refusal to pay all or part of the fare, or
  - (iii) physical injury to the taxi-cab driver or the taxi-cab.

22. Not refuse to serve any person other than the first person requesting service of the taxi-cab, except where the taxi-cab driver,

- (a) has previously arranged for an engagement, and
- (b) upon demand by a Licence Inspector or a Police Constable, gives the name and address of the person by whom he is so engaged and the time and place of such engagement.

23. Immediately record, as the taxi-cab driver, the reason for not serving any person requesting service of the taxi-cab.

24. Keep a daily record, called a "trip record", on FORM 5 hereto annexed as Schedule "E" to record all trips made by the taxi-cab.

25. Record the following information in the trip record of a taxi-cab:

- (a) the Provincial permit number of the taxi-cab,
- (b) the name, address and identification number of the driver of the taxi-cab;
- (c) the meter reading of the taxi-cab at,
  - (i) the start of each working period, and



(ii) the finish of each working period.

(d) the date, time and location of the beginning and termination of each trip;

(e) the amount of fare collected for each trip.

26. Record the information required by regulation 25(a), (b) and (c)(i), prior to the commencement of every shift.

27. Record the information required by regulation 25(d) and (e) immediately following the conclusion of every trip and prior to the commencement of the next following trip.

28. While carrying passengers, charge only the exact rate of fare in accordance with PART 12 except where,

(a) the driver and passenger agree before the start of the trip,

(i) to an hourly rate; or

(ii) to a flat rate where the trip extends more than five kilometres beyond the City limits; (90-357)

(b) the taxi-cab is used for the transportation of students to and from school; or

(c) there is a prior contractual agreement to carry parcels or goods.

29. Not publish or use a tariff card other than the tariff card supplied by the City.

30. Charge or collect only one fare, calculated in accordance with Part 12, even when transporting two or more passengers.

30a. Paragraph 30 above shall not prevent the collection of the fare calculated in accordance with Part 12 in proportions from passengers where they have agreed amongst themselves to split the costs of the trip. (new)

31. Place the taxi-meter in a recording position only when a passenger first enters the taxi-cab, or while waiting for a passenger who has previously engaged a taxi-cab.

32. Place the taxi-meter in a non-recording position when,

(a) the passenger discharges the taxi-cab; or



(b) the taxi-cab arrives at its destination for the purpose of discharging the passenger.

33. While conveying passengers, keep and maintain the taxi-meter in a recording position throughout a trip within the city limits and within five kilometres therefrom. (90-357)

34. Take the shortest possible route to the destination specified by the passenger unless the passenger specifies another route.

35. Not charge a passenger for any fare for a trip,

(a) in a taxi-cab during any time the taxi-meter is not in a recording position; or

(b) where the taxi-cab driver refuses to show the tariff card to the passenger.

36. Not make any charge for time lost for any of the following reasons:

(a) Defect in the taxi-cab.

(b) Inefficiency or disrepair of the taxi-cab.

(c) Incompetence of the driver of the taxi-cab.

(d) Time consumed by arrival of the taxi-cab in response to a call in advance of the time such has been requested by the person calling for the taxi-cab.

37. Give a passenger a receipt showing the names of the passenger and the taxi-cab driver, and including his or her identification number, taxi-cab number, place of engagement and destination or place where the passenger exits from the taxi-cab,

(a) upon request by the passenger; or

(b) where there is a dispute with a passenger over the fare.

38. Immediately upon termination of any hiring or other engagement,

(a) search the taxi-cab for any property lost or left therein; and

(b) deliver any lost or left property over to the owner of same; or

(c) deliver the lost or left property to the taxi-cab broker; or

(d) where the owner cannot be found, deliver the lost or left property to the licence authority with any and all relevant information concerning the property.

39. Upon entering a taxi-cab stand, take the taxi-cab into position at the end of the line formed by taxi-cabs already on the taxi-cab stand.

40. Not permit, while in charge of a taxi-cab, any person other than the owner or an employee of the owner of the taxi-cab, to drive the taxi-cab.

41. At the conclusion of every trip,

(a) call the passenger's attention to the fare registered on the taxi-meter of a taxi-cab; and

(b) place the taxi-meter in the taxi-cab in a non-recording position.

42. Immediately report to the owner of the taxi-cab,

(a) any defect of which the taxi-cab driver is or becomes aware;

(b) any accident in which the taxi-cab driver was involved while operating the taxi-cab;

(c) any enforcement tickets or summons issued to the taxi-cab driver by an enforcement officer for violations occurring during that shift.

43. At the expiry of every work shift or work period, turn over to the employer of the taxi-cab driver,

(a) all monies received by the taxi-cab driver as fares, but not including any amount due to the driver as commission where previously agreed by the employer,

(b) the trip record no later than one hour after the end of his shift;

(c) any taxi-cab used by the taxi-cab driver during the shift or work period.

## PART 5

### Spare Vehicles

19.(1) The owner of one or more spare vehicles may, with approval of the City, register the vehicles with the City for use as a spare vehicle.

for a period of not less than one (1) full year immediately preceding the date of the application for entry on the Taxi-cab Priority List, and

(b) either,

(i) a certified true copy by Revenue Canada of income tax returns for the calendar year immediately preceding the date of the application, and/or

(ii) any one of, or any combination of, the following in respect of the one year immediately preceding the date of the application,

1. certified copy of record of employment,

2. statement(s) of insurable earnings as issued by the Unemployment Insurance Commission,

3. statement(s) of contributions to the Canada Pension Plan as issued by Revenue Canada,

4. monthly charge statements as issued by a taxi-cab broker operating in the City of Hamilton,

5. original trip records, or

6. such other or equivalent documentation as the Licensing Committee may accept.

(2)(a) For the purposes of Subsection 23(1)1.(a)(ii),

(i) "one full year" shall mean not less than 100 shifts or the equivalent thereof;

(ii) "shift" shall mean a period of not less than 12 consecutive hours;

(b) for the purposes of Subsection 23(1)1.(a)(iii) and (iv),

(i) "one full year" shall mean not less than 150 shifts or the equivalent thereof;

(ii) "shift" shall mean a period of not less than 8 consecutive hours.

(89-316)



24.(1) Applications for renewal of a name that has been entered on the Priority List must be filed annually with the Licence Administrator, no later than the 30th day of September.

(89-316)

(2) Applications under Subsection (1) must be accompanied by the annual renewal fee as prescribed in Part II.

(3) Nothing in Subsections (1) and (2) shall obligate the City to issue a taxi-cab owner's licence to the applicant when his or her name comes to the top of the Taxi-Cab Priority List.

(4) Where an applicant under this Section fails to meet the requirements of this Section, his or her name shall be deleted from the Taxi-Cab Priority List.

25.(1) Notwithstanding any other provision of this Schedule, no licence shall be issued to an applicant whose name has been entered on the taxi-cab Priority List unless the applicant complies with the following regulations:

1. The applicant shall file with the Licence Administrator within 14 days of the date of notice by the Licence Administrator and prior to consideration of the application by the Committee,

(a) a statutory declaration on FORM 1A annexed hereto as Schedule "B" that he or she has actually engaged in operating a taxi-cab full-time in the City as,

- (i) a taxi-cab owner,
- (ii) a licensed taxi-cab driver,
- (iii) a taxi-cab dispatcher, or
- (iv) a taxi-cab telephone service operator,

for a period of not less than two (2) full and consecutive years immediately preceding the date of consideration of the application by the Licence Committee; and

(b) either,

- (i) a certified true copy by Revenue Canada of income tax returns for two consecutive years immediately preceding the date of consideration of the application by the Licence Committee; and/or



(ii) any one of, or any combination of the following in respect of the two consecutive years immediately preceding the date of consideration of the application by the Licence Committee:

1. certified copy of record of employment,
2. statement(s) of insurable earnings as issued by the Unemployment Insurance Commission,
3. statement(s) of contributions to the Canada Pension Plan as issued by Revenue Canada,
4. monthly charge statements as issued by a taxi-cab broker operating in the City of Hamilton,
5. original trip records, or
6. such other or equivalent documentation as the Licensing Committee may accept.

(2)(a) For the purposes of subsection 25(1)1.(a)(ii),

(i) "one full year" shall mean not less than 100 shifts or the equivalent thereof;

(ii) "shift" shall mean a period of not less than 12 consecutive hours;

(b) for the purposes of subsection 25(1)1.(a)(iii) and (iv),

(i) "one full year" shall mean not less than 150 shifts or the equivalent thereof;

(ii) "shift" shall mean a period of not less than 8 consecutive hours.

(3) Where an applicant does not comply with the requirements of Subsections (1) and (2), his or her name shall be deleted from the Taxi-cab Priority List and no licence shall be issued to that applicant.

(89-316)

(4) (REPEALED)

(5) (REPEALED)

26.(1) Notwithstanding Section 25, where an applicant under Section 25 is unable to meet the requirements of Subsection (1) of that section for medical reasons only, the applicant may file in lieu thereof a statutory declaration that he or she has actually engaged in operating a taxi-cab full time in the City as,

- (i) a taxi-cab owner,
- (ii) a licensed taxi-cab driver,
- (iii) a taxi-cab dispatcher, or
- (iv) a taxi-cab telephone service operator,

for a period of not less than two (2) consecutive years immediately preceding the onset of the medical disability.

(2)(a) Where an applicant elects to file a declaration under Subsection (1), on or before the date of consideration of the application by the Licence Committee, the applicant shall provide evidence, to the satisfaction of the Licence Committee, of the medical disability from not less than two duly licensed medical practitioners of the applicant's choice.

(b) In addition to the requirements of Subsection (2)(a), an applicant under Subsection (1) shall submit to a medical examination by a medical practitioner selected by the Licence Committee and The Regional Municipality of Hamilton-Wentworth Human Resources Department.

(3) Nothing in this Section shall operate to relieve an applicant from any other applicable conditions or requirements of this Schedule.

(4) Where an applicant under this section fails to meet the requirements of this Section or the requirements of Section 25, as the case may be, his or her name shall be deleted from the Taxi-Cab Priority List and no licence shall be issued to that applicant.

27. Where an applicant is not the holder of a licence as a taxi-cab owner under this Schedule, a licence issued to the applicant from the Priority List shall not be approved for transfer or transferred for a period of at least five consecutive years from the date of issuance of the licence from the Priority List to the applicant. (89-316)

28. Where the applicant is the holder of one or more licences as a taxi-cab owner under this Schedule, and one or more additional owner's licences are subsequently issued to the applicant from the Priority List, any previously issued owner's licence including the owner's licence issued from the Priority List shall not be approved for transfer or transferred for a period of at least five consecutive years from the date of issuance of the most recent licence from the Priority List, unless the most recently issued licence from the Priority List is surrendered to the Licence Committee for cancellation. (89-316)

## PART 7

### Passengers

29. No person employing a taxi-cab shall refuse, upon demand, to pay the fare or charge authorized by this Schedule.

## PART 8

### Soliciting Business

30. No owner or driver of a taxi-cab shall loiter or solicit business in any street, alley or other public place, except when,

- (a) waiting for a person who has engaged him or her; or
- (b) parking in a designated public taxi-cab stand; or
- (c) parking in an signed area where parking is permitted for motor vehicles under City of Hamilton Traffic By-laws.

## PART 9

### Promotional Schemes

31. No taxi-cab broker, taxi-cab owner or taxi-cab driver shall participate or acquiesce in any promotional scheme whose object or goal is to directly or indirectly subsidize the rates or fares prescribed in this Schedule, without the written consent of the Licence Committee.

## PART 10

### Taxi-cab Brokers

32.(1) Every taxi-cab broker shall comply with the following regulations:

1. Provide and maintain a business office in the City for the carrying on of his business.
2. Keep and maintain the business office in an orderly, clean and neat condition free at all times from debris and waste of any kind.



3. Keep and maintain the business office free at all times from drivers or other persons not immediately engaged in any business or whose presence may disrupt the orderly carrying on of business.

4. Provide and maintain communication facilities necessary to receive and transmit requests for taxi-cab service in proper working order.

5. Provide and maintain off-street parking for every taxi-cab that is available to respond to calls.

6. Furnish a list in writing to the Licence Administrator,

(i) of taxi-cab owners from whom he or she proposes to accept calls, and

(ii) of any changes on the list within two days of the change.

7. Accept calls for only those owners whose name appears on the list referred to in Regulation 6.

8. Keep and maintain a trip record on FORM 5 hereto annexed as Schedule "E", or a reasonable facsimile thereof, showing the number of the owner's licence which covers the taxi-cab used, the date and time of dispatch, and the point of beginning of each trip, for a period of six months from the date of the first trip of the record.

9. Make the trip record required by regulation 8 available for inspection by the Chief Licence Inspector or a Licence Inspector.

10. Notify the Issuer of Licences in writing at the beginning of each calendar year of the names of persons authorized to sign driver application forms on behalf of the taxi-cab broker.

(2) No taxi-cab broker shall dispatch a call for the conveyance of passengers for hire to a driver of a livery vehicle licensed under Schedule 4a.

(3) Subsection (2) shall not apply where the dispatch is to the holder of a Class B livery vehicle licence for the conveyance of disabled persons.

## PART 11

### Licence and Filing Fees

33. The amount of fees for matters under this Schedule shall be as follows:



- (a) For initial application for entitlement to entry on the priority list . . \$ 56.00;
- (b) To annual renewal entitlement to entry on the priority list . . . . . \$ 56.00;
- (c) For the first issuance of a private taxi-cab licence from the  
Taxi-cab Priority List . . . . . \$3,308.00;
- (d) For the yearly renewal of a private taxi-cab licence . . . . . \$ 193.00;
- (e) For each transfer of a private taxi-cab licence . . . . . \$ 635.00;
- (f) For the yearly renewal of a public taxi-cab licence . . . . . \$ 318.00;
- (g) For each transfer of a public taxi-cab licence . . . . . \$ 635.00;
- (h) For the first issuance of a taxi-cab broker's licence . . . . . \$ 380.00;
- (i) For the yearly renewal of a taxi-cab broker's licence . . . . . \$ 254.00;
- (j) For the issuance of a taxi-cab driver's licence . . . . . \$ 28.00;
- (k) For filing copy of a limited interest agreement in respect of the  
first car . . . . . \$ 56.00;
- (l) For the yearly renewal of the initial limited interest agreement in  
respect of the same first car . . . . . \$ 56.00;
- (m) For filing copy of a limited interest agreement in respect of  
any additional car . . . . . \$ 193.00;
- (n) For the yearly renewal of a limited interest agreement in respect  
of any additional car . . . . . \$ 193.00;
- (o) For filing a copy of a notice or an agreement under section 14(5) \$ 27.00.

(92-007)

## PART 12

## Rates or Fares To Be Charged

34. A taxi-cab owner or taxi-cab driver shall charge for the conveyance of passengers, not including goods and services tax, either wholly within the City or to any point not more than five kilometres beyond its limit, only the rates or fares as follows:

1. Under agreement with the passenger,

(i) for each hour. . . . . \$30.00;

2. For one or more passengers,

(i) for the first 1/10 of a kilometre or part thereof . . . . . \$ 2.00;

(ii) for each additional 1/10 of a kilometre or part thereof . . . \$ 0.10;

(iii) for waiting after engagement, for each 20 seconds or part thereof after the first 20 seconds \$ 0.10;

(iv) notwithstanding subparagraphs (i), (ii) and (iii), for each engagement, a minimum charge of . . . . . \$ 2.00;

(v) for loading and unloading groceries, luggage or other goods and chattels, for each 20 seconds or part thereof calculated after the first 20 seconds from the time the meter is turned on,

(a) at the commencement of the loading until completion of the loading . . . . . \$ 0.10;

(b) at the commencement of the unloading until completion of the unloading . . . . . \$ 0.10.

35. A meter may be so designed and adjusted that the fare shall be computed for time as well as distance, not including the goods and services tax, at 10 cents for each 20 seconds as above indicated, from the time or place when the passenger entered the taxi-cab, or from the first 20 seconds of waiting for the passenger as above indicated to the time or place at which the passenger discharged the cab, and the time for which the fare is chargeable shall include all unavoidable delays or stops.

35a.(1) The meter in a taxi-cab may be so adjusted, that goods and services tax is added to the total fare chargeable for a trip calculated under this part and mathematically rounded to the nearest tenth of a dollar, but calculation of the fare shall commence with a charge of \$2.15 including the said tax for either the minimum charge as set out in paragraph (iv) of subsection 2 of section 34, or for the first tenth of a kilometre or part thereof, as set out in paragraph (ii) of subsection 2 of section 34, as may be applicable to the trip.

(2) For the purpose of this Schedule, "goods and services tax" shall mean the tax imposed by Goods and Services Tax Legislation on taxi fares at the rate so imposed from time to time.

36.(1) Rates or fares mentioned in Section 34 shall be reduced by 10% for persons issued an Ontario Senior Citizens Privilege Card issued by the Provincial Ministry of Community and Social Services, where all passengers travelling in a taxi-cab are holders of said card.

(2) Every reduction in rates or fares referred to in subsection (1), shall be calculated to the highest full dollar registered on the taxi-meter or the minimum charge referred to in subparagraph (iv) of paragraph 2 of Section 34, whichever is higher.

37. Schedules A (from by-law 89-316), B, C, D and E hereto annexed are included in and form part of this Schedule.



To

By-law No.

FORM 1



A. SIMPSON  
CITY CLERK  
EVERY  
CITY CLERK

CITY HALL  
HAMILTON, ONT  
L8N 8Y6  
TEL. 871-888

# THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

## APPLICATION FOR CAB OWNER LICENCE

(Please Print)

NAME

SURNAME

CHRISTIAN OR GIVEN NAMES

ADDRESS

NAME AND ADDRESS OF BROKER YOU WILL BE ASSOCIATED WITH IF GRANTED A  
LICENCE

HAVE YOU TRANSFERRED A CAB OWNER'S LICENCE TO ANOTHER PERSON DURING THE  
PAST TWO YEARS?

PLEASE LIST ALL EMPLOYERS WITHIN THE CAB INDUSTRY FOR WHOM YOU HAVE  
WORKED SINCE  
INCLUDING DATES OF EMPLOYMENT.

ARE YOU PRESENTLY EMPLOYED OTHER THAN IN THE TAXI CAB INDUSTRY?

NAME OF EMPLOYER

IS THE EMPLOYMENT FULL TIME OR PART TIME?

DO YOU INTEND TO WORK IN THE TAXI CAB INDUSTRY FULL TIME?

I acknowledge that I have read the terms and  
conditions as set forth on the reverse side  
of this application and agree to accept a  
licence subject to these terms and conditions  
and I hereby certify the above information to  
be true to the best of my knowledge.

Commissioner For  
Taking Oaths, Etc.

SIGNED

DATE:

DAY 103 MONTH YEAR



licences are as set out below:

- (a) that the applicant has actually engaged in operating a taxicab full-time in the City as an owner or driver or dispatcher for a period of at least two years immediately prior to the date of consideration of the application by the Licence Committee.
- (b) that the applicant has not granted, assigned, conveyed, transferred or otherwise passed on by sale, lease, gift or otherwise the use or possession of any other licence issued to him under this By-law 79-323, as amended, Schedule 4 for a period of at least two consecutive years immediately prior to the date of consideration of the application by the Licence Committee.
- (c) that where an applicant is not the holder of a licence as a taxicab owner under this By-law 79-323, as amended, Schedule 4, a licence issued to the applicant shall not be approved for transfer or transferred for a period of at least five consecutive years from the date of the licence to the applicant.
- (d) that if the recipient of the licence is presently licensed as a cab owner, he not be permitted for five years to transfer any licence presently held by him until he has surrendered the new licence to the City. (See By-law 79-323, as amended, Section 4(22)).
- (e) that no licensee who is the holder of a licence as a taxicab owner shall enter into any written or oral agreement, directly or indirectly, permitting or acquiescing in the operation of the taxicab for which the licence was issued, by any other person
- (f) that he must provide a suitable vehicle with the necessary equipment for the taxi industry, plus proof of insurance coverage, within thirty days of the date of approval of the application.
- (g) that he file with the Committee a declaration setting out the financial arrangements pertaining to the purchase of the vehicle and equipment.
- (h) the licence shall remain the property of the Corporation of the City of Hamilton and if the recipient fails to abide by any of the aforementioned terms, the licence shall be revoked by the City.

NOTE:

In addition to the foregoing policy all individuals who are presently on the "priority list" (as well as any other individual) may apply for one of these licences but it shall remain the prerogative of the City of Hamilton Licence Committee to accept or not accept any of all of those on the "priority list". It should also be noted that the "priority list" will be used as an important criteria in the selection of the successful applicants.

Schedule "B"  
To  
By-law No.  
FORM 2

APPLICATION FORM  
TAXICAB DRIVER

SURNAME:..... CHRISTIAN NAMES:.....  
SOCIAL INSURANCE NUMBER:.....DATE OF BIRTH.....  
PRESENT  
MARITAL STATUS.....NO. OF CHILDREN:..... TELEPHONE No:.....  
DRIVERS LICENCE NUMBER..... CLASS:.....  
DRIVERS LICENCE EXPIRY DATE:.....NUMBER OF POINTS LOST:.....

HISTORY OF RESIDENCE:

ADDRESS	TOWN OR CITY	PROVINCE/STATE	COUNTRY	DATE

NAME AND ADDRESS OF OWNER OR BROKER WITH WHOM YOU WILL BE ASSOCIATED:

HAVE YOU EVER BEEN CONVICTED OF A DRIVING OFFENCE: YES:\_\_\_\_\_ NO:\_\_\_\_\_  
IF YES, EXPLAIN:\_\_\_\_\_

HAVE YOU EVER BEEN CONVICTED OF A CRIMINAL OFFENCE: YES:\_\_\_\_\_ NO:\_\_\_\_\_  
IF YES, EXPLAIN:\_\_\_\_\_

HAVE YOU HAD AN ACCIDENT IN LAST THREE YEARS: YES:\_\_\_\_\_ NO:\_\_\_\_\_  
IF YES, EXPLAIN:\_\_\_\_\_

HISTORY OF EMPLOYMENT:

EMPLOYER	ADDRESS	TYPE OF WORK	FROM MONTH-YEAR	TO MONTH-YEAR

\*\*INCORRECT OR OMITTED INFORMATION RENDERS THIS APPLICATION VOID\*\*

I certify the above information to be true to the best of my knowledge

DATE \_\_\_\_\_ SIGNATURE OF APPLICANT: \_\_\_\_\_

SIGNATURE OF OWNER: \_\_\_\_\_

SIGNATURE OF BROKER: \_\_\_\_\_

## Schedule "C"

To

By-law No.

FORM 3



E. A. SIMPSON  
CITY CLERK  
K. E. AVERY  
DEPUTY CITY CLERK

CITY HALL  
HAMILTON, ONTARIO  
L8N 3Y4

## THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

## TRANSFER OF TAXI CAB PLATES

IN THE MATTER OF THE TRANSFER OF TAXICAB PLATE NUMBER \_\_\_\_\_ FROM  
\_\_\_\_\_ TO \_\_\_\_\_

I, \_\_\_\_\_, THE PRESENT OWNER OF TAXICAB PLATE  
NUMBER \_\_\_\_\_, HEREBY AGREE TO SELL SAID PLATE TO \_\_\_\_\_

I, \_\_\_\_\_, THE PURCHASER OF TAXICAB PLATE  
NUMBER \_\_\_\_\_, DO SOLEMNLY SWEAR THAT THE TOTAL CONSIDERATION IS  
AS FOLLOWS:

GOODWILL	.....		
CAR	.....		
METER	.....		
RADIO	.....		
ROOF SIGN	.....	MAKE .....	YEAR .....
TOTAL	.....		

SWORN BEFORE ME AT THE CITY OF  
HAMILTON, REGIONAL-MUNICIPALITY  
OF HAMILTON-WENTWORTH

THIS \_\_\_\_\_ DAY \_\_\_\_\_ MONTH \_\_\_\_\_ YEAR

.....  
(A COMMISSIONER, ETC.)

The Corporation of the City of Hamilton

BY-LAW NO. 88-136

LIMITED INTEREST AGREEMENT

THIS AGREEMENT made on the            day of  
19            .

B E T W E E N:

---

Hereinafter called the "PLATE OWNER"  
of the First Part

- and -

---

Hereinafter called the "PLATE USER"  
of the Second Part

1. WHEREAS THE PLATE OWNER holds a taxi-cab licence but has ceased owning a taxi-cab respecting which the licence was issued;
2. AND WHEREAS THE PLATE USER is the owner of a taxi-cab but is not the holder of a licence respecting a taxi-cab;
3. AND WHEREAS THE PLATE OWNER and the PLATE USER intend herein to enter into this Agreement (hereinafter referred to as a "limited interest agreement") wherein a licence is transferred temporarily by the PLATE OWNER to the PLATE USER.
4. NOW THEREFORE THIS AGREEMENT WITNESSETH in consideration of the mutual covenants and an agreement hereinafter contained, the PARTIES hereto mutually covenant and agree as follows:

A. PLATE OWNER'S COVENANTS AND AGREEMENTS:

1. An interest in City of Hamilton taxi-cab licence hereinafter referred to is hereby transferred to the PLATE USER for a period commencing on the            day of            , 19            , and ending on the            day of            , 19            .
2. My full and correct name and business address is            .
3. The City of Hamilton taxi-cab licence number and year of issue is            .
4. The date on which the licence, which is the subject of this Agreement was issued            .



5. Full particulars of all consideration given by me, whether in money or in any other kind, direct or indirect, including fees and/or rental \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.
6. List of all services, rights or other considerations, given by me to the PLATE USER \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.
7. Full particulars of my responsibility for the maintenance, repairs, gas and oil for the taxi-cab \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.
8. Full particulars as to where and how the maintenance, repairs or purchases are to be made and the payments therefor \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.
9. Where the PLATE USER transfers or purports to transfer the limited interest in this Agreement, this Agreement is hereby terminated on the date of the transfer or purported transfer or on the following date \_\_\_\_\_.

**B. PLATE USER'S COVENANTS AND AGREEMENTS.**

1. The interest in the City of Hamilton taxi-cab licence hereinbefore referred to and transferred to me by the PLATE OWNER is hereby accepted by me without reservation for a period commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.
2. My full and correct name and business address is \_\_\_\_\_  
\_\_\_\_\_.
3. The make, model, serial number, year and full description of all equipment which is used with the taxi-cab and serial number and year of the equipment, are \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

4. The motor vehicle permit plate number for the taxi-cab owned by me, issued under THE HIGHWAY TRAFFIC ACT is \_\_\_\_\_.
5. I am the sole owner in my own right of the taxi-cab respecting which the PLATE OWNER is transferring to me a limited interest in his licence.
6. Full particulars of all consideration given by me, whether in money or in kind, direct or indirect, including fees and/or rental \_\_\_\_\_.
7. Breakdown of all other amounts given by me to the PLATE OWNER \_\_\_\_\_.
8. Full particulars of my responsibility for the maintenance, repairs, gas and oil for the taxi-cab \_\_\_\_\_.
9. Full particulars as to where and how the maintenance, repairs or purchases are to be made and payments therefor \_\_\_\_\_.
10. I will take out, before using the taxi-cab, insurance in accordance with regulation 3 of section 13 of Schedule 4 of By-law No. 79-323.
11. Upon any transfer or purported transfer, directly or indirectly, the limited interest in this Agreement, this Agreement shall be terminated on the date of the transfer or purported transfer or on the date, if any, fixed by the PLATE OWNER.

C. OTHER TERMS AND CONDITIONS by the Parties hereto set out in SCHEDULE "A" to this AGREEMENT not contrary to By-law No. 79-323.

PLATE OWNER'S AND PLATE USER'S JOINT COVENANTS  
AND AGREEMENTS:

1. The Agreement herein shall be for a period commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ and ending on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.
2. This Agreement is made on the following basis -- daily, weekly, monthly, yearly or \_\_\_\_\_.
3. This Agreement comes into force on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.
4. This Agreement shall be deemed to be executed by both Parties hereto and Witnessed on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

IN WITNESS WHEREOF the Parties hereto have affixed their hands and seals

THIS \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
PLATE OWNER

\_\_\_\_\_  
Witness

\_\_\_\_\_  
PLATE USER

Note: If insufficient space, please enumerate provision on reverse side of page on which the provision appears and use or add pages and initial and date.

To  
By-law No.  
FORM 5

IT IS MANDATORY TO COMPLETE ALL BUT THE SHADED AREAS

**Date** \_\_\_\_\_ **Driver** \_\_\_\_\_ **Cab No.** \_\_\_\_\_

IN		OUT		Trip Mile Extra Hourly Misc. Total	TOTAL SALES	
a.m. p.m.	Miles	a.m. p.m.	Miles		Com. % Gas Oil Misc. Charges Total Exp.	
Paid Miles		Miles				
Gas						
Oil						
Total						

**CASH**

No.	d.d. Paid.	FROM	TO	\$	¢	¢	¢
1							
2							
3							
4							
5							
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**TOTAL**

**DRIVER'S SIGNATURE**

COMPONENT PARTS : BRAKES ☐ STEERING ☐ LIGHTS ☐ EXHAUST SYSTEM ☐  
RADIO ☐ METER ☐  
CLEANLINESS AND DAMAGE : INTERIOR ☐ EXTERIOR ☐  
OILS : OIL ☐ TRANSMISSION FLUID ☐



## SCHEDULE 4a

### LIVERY VEHICLES

1. In this Schedule,

(a) "City" means the City of Hamilton;

(b) "driver's licence" means a licence issued to a livery vehicle driver under this Schedule, and "licensed driver" has a corresponding meaning;

(c) "livery vehicle" means a vehicle for hire for the transportation of passengers, at a flat rate by agreement, that does not contain a taxi-meter;

(d) "livery vehicle driver" means a person who is licensed under this Schedule to drive a livery vehicle;

(e) "livery vehicle owner" means a person who is the owner of a livery vehicle;

(f) "owner" includes the owner of a vehicle or a purchaser of a vehicle, under contract, agreement, understanding or arrangement;

(g) "owner's licence" means a licence taken out by a vehicle owner authorizing the use of the vehicle as a livery vehicle.

### PART 1

#### Administration

2.(1)(a) Every person who is and carries on business as;

(i) a livery vehicle owner, or

(ii) a livery vehicle driver

shall obtain from the City a licence authorizing that person to carry on or engage in the trade, calling or business of conveying passengers for hire in a livery vehicle.

(b) Subsection (1)(a)(ii) shall not apply to a livery vehicle driver who holds a current and valid taxi-cab driver's licence duly issued by the City.

(2) No person required to obtain a licence under Subsection (1) shall carry on or engage in the trade, calling or business of conveying passengers for hire in a livery vehicle without a licence.

- (3) Where a person is required to obtain a licence under Subsection (1),
- (a) a separate licence certificate shall be issued for each licence applied for; and
  - (b) a separate licence certificate shall be issued for each livery vehicle.
- (4) Every licence certificate issued to a livery vehicle owner shall clearly identify,
- (a) the one vehicle in respect of which the licence was issued;
  - (b) the class of livery vehicle licence in respect of which the licence certificate was issued;
  - (c) the term of the licence, including its expiry date.
- (5) Every licence certificate issued to a livery vehicle driver shall clearly identify the term of the licence, including its expiry date.
- 3.(1) Every vehicle licensed under this section shall be operational and functional within 30 days of the issuance of the licence.
- (2) No livery vehicle shall display a roof sign bearing the words "taxi-cab", "taxi", or "cab".
- 4.(1) Every licence issued to a livery vehicle owner or a livery vehicle driver shall entitle the licensee to carry on only such class of livery vehicle operation as specified on the licence.
- (2) No livery vehicle owner or livery vehicle driver shall engage in any class of livery vehicle operation for which a licence has not been granted.
- (3) The classes of livery vehicle operations shall be as follows:
- (a) Class A: Transportation by Limousine
  - (b) Class B: Transportation of the Disabled at a Subsidized Rate
- (4) No livery vehicle owner or livery vehicle driver shall hold more than one class of livery vehicle licence in respect of any livery vehicle.
- (5) No livery vehicle licence of any class shall be transferable.
- 5.(1)(a) A Class A livery vehicle licence shall be issued to an applicant for a livery vehicle owner's licence where,
- (i) the livery vehicle seats not less than 6 and not more than 9 passengers, including the driver; and
  - (ii) the livery vehicle has a wheel base of not less than 110 inches;

(b) Every livery vehicle owner and every livery vehicle driver licensed to operate a Class A livery vehicle shall charge a fare of not less than,

(i) \$60.00 for every hour or part thereof; or

(ii) \$110.00 per diem.

(2) A Class B livery vehicle licence shall be issued to an applicant for a livery vehicle owner or a livery vehicle driver licence, where:

(a) the vehicle operation is restricted to the conveyance of passengers, who are physically unable to climb or descend steps used on conventional public transit facilities or walk a distance of 175 metres; and

(b) the passengers pay a fare less than or equal to the cash fare charged for bus service by the Hamilton Street Railway Company, as it may be set from time to time, for travel within the boundaries of the City, or to a point not more than 5 kilometres beyond its limits. (91-106)

6.(1) Every applicant for an owner's licence or a renewal thereof and every applicant for a driver's licence or a renewal thereof, except where the applicant is the holder of a current and valid licence issued to a taxi-cab driver under Schedule 4, shall attend at the office of the Issuer of Licences and make and file an application in person and not by an agent or representative. (89-316)

(2) Where a livery vehicle is owned by,

(a) a partnership, a partner shall attend for the purpose of subsection (3);

(b) a limited company, the chief operating officer of the company shall attend for the purpose of subsection (3).

(3) Every applicant who is a livery vehicle owner shall fully complete an application on the standard licence application form for the City of Hamilton.

(4) Except where the applicant is the holder of a current licence issued to a taxi-cab driver under Schedule 4, every applicant who is a livery vehicle driver shall fully complete an application in FORM 2 annexed hereto as Schedule "A". (89-316)

(5) Every applicant for licence as a livery vehicle driver shall, in addition to other information required under this by-law, with his application and renewal of application, provide for inspection by the Issuer of Licences, a Class "G" licence issued under The Highway Traffic Act.



(6) Every application for renewal of a Class A livery vehicle owner's licence shall be accompanied by a completed trip record, as required under regulation 19 of Section 12, for the current year during which the livery vehicle licence is in full force and effect.

(7) Failure to comply with the requirements of subsection (6) may cause the application for renewal to be denied.

7.(1) Except where the applicant is the holder of a current licence issued to a taxi-cab driver under Schedule 4, every applicant for a driver's licence shall, before a licence is issued, undertake and successfully complete one or more written tests pertaining to his or her knowledge of, (89-316)

(a) the operation of the livery vehicle, and of the City of Hamilton Licensing Code, By-law No. 79-323, as amended, as it relates to taxi-cabs and livery vehicles;

(b) the laws and regulations pertaining to traffic and motor vehicles;

(c) the relationship between taxi-cab drivers and livery vehicle drivers with respect to passengers including duties, behaviours, appearance, decorum;

(d) the use of the equipment part of taxi-cabs including two-way radio, taxi-meter, roof lights;

(e) the use of trip sheets, making damage reports and record keeping; and

(f) the location of streets, public buildings, hospitals, transportation terminals, points of interest and use of street guides.

(2) Notwithstanding any other provision of this Schedule, no licence shall be issued to an applicant unless;

(a) the applicant achieves not less than 70% on each test required to be undertaken; and

(b) the applicant has a photo identification taken by the City.

8.(1) Before a licence is issued, the livery vehicle owner or livery vehicle driver shall, if required by the City, provide a medical certificate in a form supplied by the City signed by a duly qualified medical practitioner in the Province of Ontario, certifying that the owner or driver of the livery vehicle is physically and mentally fit to drive a livery vehicle.

(2) Every livery vehicle owner and every livery vehicle driver shall provide a certificate of the Medical Officer of Health for The Regional Municipality of Hamilton-Wentworth, as to the health of the owner or driver from time to time as the City may require by notice in writing delivered by first class mail to the owner or driver at his business address or place of residence.



9. Every livery vehicle owner and every livery vehicle driver shall be at least eighteen years of age.

10. Every livery vehicle owner and every livery vehicle driver shall notify the Issuer of Licences within 7 days of a change of address and produce his or her licence for the changes of address to be entered.

11. No licensee who is the holder of a licence as a livery vehicle owner shall enter into any written agreement or oral agreement, directly or indirectly, permitting or acquiescing in the operation of the livery vehicle for which the licence was issued, by any other person who is not a licensed livery vehicle driver.

## PART 2

### Livery Vehicle Owners

12.(1) Every livery vehicle owner shall comply with the following regulations:

1. Before acting as a driver of a livery vehicle owned by him,

(a) comply with all the requirements for the issuance of a livery vehicle driver's licence except payment of a licence fee for a driver's licence; and

(b) obtain the approval of the Licence Committee.

2. Before issuance of an owner's licence provide the City, in writing, with the following information in respect of every vehicle to be used as a livery vehicle,

(a) clear identification of the vehicle, including the make and serial number,

(b) certificate of ownership,

(c) certificate of insurance,

(d) Safety Standard Certificate as issued by the Ministry of Transportation, and

(e) such other particulars as the City may request.

3. For each livery vehicle for which the owner holds a licence, and before use of the livery vehicle,

(a) obtain a policy of insurance in respect of the livery vehicle in an amount not less than \$500,000, exclusive of interest and costs, against loss or damage resulting from bodily injury to or death of one or more persons or from loss or damage to property resulting from any one accident;

(b) provide a special endorsement to the policy of insurance referred to in clause (a), for passenger hazard in an amount not less than \$500,000, exclusive of interest and costs;

(c) cause to be endorsed on the policy of insurance referred to in clause (a), that the City shall be given at least ten days prior notice of any cancellation, expiration or change in the amount of the insurance or in terms of the policy; and

(d) deposit a certified true copy of the policy of insurance and all endorsements with the City.

4. Maintain the policy of insurance, referred to in regulation 3 of this section, in force and effect during the entire period for which the licence is issued and in force and effect.

5. Use or permit to be used a livery vehicle only where prior to its use;

(a) the owner has produced a registration issued under The Highway Traffic Act, in respect of the class of motor vehicle to be used as a livery vehicle;

(b) the City has been informed of any changes in the motor vehicle registration; and

(c) the owner has submitted the motor vehicle to the City for approval and has obtained authorization for the vehicle to be used.

6. Subject to The Highway Traffic Act, not use or permit to be used any livery vehicle that does not have affixed to the vehicle;

(a) a City of Hamilton licence plate having an identity number and clear indication that the livery vehicle is licensed for use in the livery business as a livery vehicle; or

(b) a duplicate licence plate, as may be supplied by the City at the expense of the owner of a livery vehicle where the original licence plate has been lost, defaced or destroyed.

7. Affix to the back of each livery vehicle in a manner and in a position approved by the City any livery vehicle licence plate issued by the City and maintain the licence plate only in the approved position during the period for which the licence is in force and effect.

8. Cause a livery vehicle to be submitted for inspections from time to time by such person and at such times and places as the City may designate.

9. Make such improvements or repairs to the livery vehicle, its equipment or any component thereof as may be required by the City and within such time period specified by the City, to such standards as may be approved by the Licence Committee.

10. Immediately check for mechanical defects in the livery vehicle reported by a driver.

11. Not operate or permit to be operated as a livery vehicle any vehicle not in good mechanical condition.

12. Not operate or permit to be operated as a livery vehicle any vehicle unless a Motor Vehicle Safety Certificate on a form and in a manner approved by the Province of Ontario has been filed with the City in a manner and frequency approved by the Licence Committee.

13. Not employ or permit any person other than a licensed livery vehicle driver or licensed taxi-cab driver employed by the livery vehicle owner to operate his or her livery vehicle.

14. Not use the livery vehicle for the separate carrying of parcels, letters, documents, goods or chattels.

15. Provide to the Licensing Administrator at the time that the licence is issued, a Schedule of Fees to be charged in respect of the use of the vehicle and its driver.

16. Charge fees for the use of the vehicle and its driver in accordance with the Schedule of Fees referred to in regulation 15 above.

17. Ensure that a licensed livery vehicle driver operating the owner's livery vehicle charges fees in accordance with the Schedule of Fees referred to in regulation 15 above.

18. Notify the Licensing Administrator in writing of any proposed change in the Fee Schedule prior to invoking such change.

19. Maintain a trip record on FORM 5 hereto annexed as Schedule "B" or on any reasonable facsimile thereof, which shall be kept in the licensed livery vehicle at all times and prepared immediately upon conclusion of every trip and which shall contain the following information:

(a) the name and address of the person hiring the livery vehicle;

(b) the time of the commencement of the trip and the time of the conclusion of the trip;



(c) the address of the place of origin of the trip and the address of the place of final discharge of the passengers at the conclusion of the trip; and

(d) the fee charged.

20. Ensure that a driver operating the owner's vehicle maintains a trip record as required by regulation 19 above.

21. Keep all trip records referred to in regulation 19 above, for a period of at least twelve months.

22. Permit any person authorized to enforce this by-law to inspect any and all trip records on the premises or to remove any and all trip records from the premises for the purpose of inspection.

(2) Regulations 15 to 22 of Subsection (1) shall not apply to a livery vehicle owner holding a Class B licence in respect of the livery vehicle.

13.(1) Every livery vehicle driver shall comply with the following regulations:

1. Not drive a livery vehicle unless a valid livery vehicle driver's licence has been issued to him or her.

2. Operate a livery vehicle only if the livery vehicle is,

(a) in clean condition as to its interior and exterior;

(b) in good repair as to its interior and exterior;

(c) dry as to its interior;

(d) free from mechanical defects;

(e) in fit condition for the purpose for which the vehicle is used; and

(f) in safe driving condition.

3. Examine the livery vehicle for any defects immediately before the livery vehicle is to be driven.

4. Not drive a livery vehicle unless the livery vehicle plate issued by the City is affixed as required by this Schedule, to the livery vehicle for which it was issued.

5. Carry his or her livery vehicle driver's licence with him or her at all times while operating the livery vehicle.



6. Immediately produce for inspection, the livery vehicle driver's licence and the Province of Ontario driver's licence, upon request to do so by a licence inspector or police officer.

7. Not drive a livery vehicle with luggage or other material piled or placed in a manner that obstructs the view of the livery vehicle driver.

8. Not carry in a livery vehicle used for hire a greater number of occupants or persons than the manufacturer's rated seating capacity for that vehicle, inclusive of driver.

9. Affix and maintain affixed when driving a livery vehicle, a photo identity card in a place in the livery vehicle approved by the Licence Committee in such a manner that the photograph and name are plainly visible and readable by a passenger in the back seat.

10. Not drive a livery vehicle unless the City's current livery vehicle licence number is displayed as required by this Schedule.

11. Not make repairs to the livery vehicle while upon a public street unless the repairs are immediately required to render the livery vehicle operable.

12. While in charge of a livery vehicle,

(a) maintain his person in a neat and clean appearance; and

(b) be civil, well-behaved and polite in manner.

13. Immediately upon termination of any hiring or other engagement of the livery vehicle,

(a) search the livery vehicle for any property lost or left therein; and

(b) deliver any lost or left property over to the owner of same; or

(c) where the owner cannot be found, deliver the lost or left property to the licence authority along with any and all relevant information concerning the property.

14. Not permit, while in charge of a livery vehicle, any person other than the owner or an employee of the owner of the livery vehicle to drive the livery vehicle.

15. Immediately report to the owner of the livery vehicle,

(a) any defect of which the livery vehicle driver is or becomes aware;

(b) any accident in which the livery vehicle driver was involved while operating the livery vehicle;

(c) any enforcement tickets or summons issued to the livery vehicle driver by an enforcement officer for violations occurring while operating the livery vehicle.

(2) In addition to the regulations in Subsection (1), every Class A livery vehicle driver shall comply with the following regulations:

1. Charge fees in accordance with the schedule of Fees provided to the Licence Committee by the owner of the livery vehicle under regulation 15 of Section 12.

2. Maintain a trip record in accordance with regulation 19 of Section 12.

14. No person, including the driver, shall smoke a cigarette, cigar, pipe or any tobacco-using devices without the consent of the occupants of the livery vehicle.

15. No owner, driver or other person shall use or cause to be used or arrange for the use of, directly, indirectly at any time by agreement or understanding or otherwise a livery vehicle in substitution for a taxi-cab.

### PART 3

#### Licence Fees

16. The amount of licence fee for a licence granted under this Schedule shall be as follows:

1. For a livery vehicle owner's licence Class A or B . . . . . \$193.00;

2. For renewal of a livery vehicle owner's licence, Class A or B . . . . . \$193.00;

3. For a livery vehicle driver's licence . . . . . \$ 28.00;

4. For renewal of a livery vehicle driver's licence . . . . . \$ 28.00.

17. Schedules A and B annexed hereto are included in and form part of this Schedule.

by-law no.  
FORM 2  
APPLICATION FORM  
LIVERY DRIVER

SURNAME:..... CHRISTIAN NAMES:.....  
SOCIAL INSURANCE NUMBER:.....DATE OF BIRTH.....  
MARITAL STATUS.....NO. OF CHILDREN:..... PRESENT TELEPHONE NO:.....  
DRIVERS LICENCE NUMBER..... CLASS:.....  
DRIVERS LICENCE EXPIRY DATE:.....NUMBER OF POINTS LOST.....

HISTORY OF RESIDENCE:

ADDRESS	TOWN OR CITY	PROVINCE/STATE	COUNTRY	DATE

NAME AND ADDRESS OF OWNER OR BROKER WITH WHOM YOU WILL BE ASSOCIATED:

HAVE YOU EVER BEEN CONVICTED OF A DRIVING OFFENCE: YES:\_\_\_\_\_ NO:\_\_\_\_\_  
IF YES, EXPLAIN:\_\_\_\_\_

HAVE YOU EVER BEEN CONVICTED OF A CRIMINAL OFFENCE: YES:\_\_\_\_\_ NO:\_\_\_\_\_  
IF YES, EXPLAIN:\_\_\_\_\_

HAVE YOU HAD AN ACCIDENT IN LAST THREE YEARS: YES:\_\_\_\_\_ NO:\_\_\_\_\_  
IF YES, EXPLAIN:\_\_\_\_\_

HISTORY OF EMPLOYMENT:

EMPLOYER	ADDRESS	TYPE OF WORK	FROM MONTH-YEAR	TO MONTH-YEAR

**\*\*INCORRECT OR OMITTED INFORMATION RENDERS THIS APPLICATION VOID\*\***

I certify the above information to be true to the best of my knowledge

DATE \_\_\_\_\_ SIGNATURE OF APPLICANT: \_\_\_\_\_

SIGNATURE OF OWNER: \_\_\_\_\_ PLATE NO: \_\_\_\_\_

SIGNATURE OF BROKER: \_\_\_\_\_



Schedule "B"  
To  
By-law No.  
FORM 5

IT IS MANDATORY TO COMPLETE ALL BUT THE SHADED AREAS

Date		Driver		Cab No.			
IN		OUT		Trip			
Mileage		Mileage		Units			
Paid Miles		Units		Extra			
Out		Trip		Hourly			
In				Dismiles			
				Misc.			
				Total			
				TOTAL SALES			
				Com. %			
				Gel. Gas			
				Oil			
				Misc.			
				Charges			
				Total Exp.			
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TOTAL							

DRIVER'S SIGNATURE

EQUIPMENT FAULTS : BRAKES ☐ STEERING ☐ LIGHTS ☐ EXHAUST SYSTEM ☐  
 RADIO ☐ METER ☐  
 CLEANLINESS AND DAMAGE : INTERIOR ☐ EXTERIOR ☐  
 CHECKS : OIL ☐ TRANSMISSION FLUID ☐





BY-LAW NO. 92 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF  
THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 30TH DAY OF JUNE  
A.D., 1992.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this                      day of                      A.D. 1992

CITY CLERK

MAYOR



CA4 ON HBL A05  
A31 1992



J.J. SCHATZ  
CITY CLERK

**THE CORPORATION OF THE CITY OF HAMILTON**

OFFICE OF THE CITY CLERK  
71 MAIN STREET WEST  
HAMILTON, ONTARIO L8N 3T4

TEL: 546-2700  
FAX: 546-2095

**MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1992 July 28  
7:30 o'clock p.m.  
Council Chambers, City Hall**

**AGENDA**

**1. Opening Prayer**

Pastor Vern O'Brien  
Peoples Church Hamilton

**2. Presentations**

- (a) Certificate of Recognition for Citizen members who served on various City Committees/Boards/Commissions
- (b) Civic Silver pins to the Blessed Sacrament Minor Bantam Basketball Team for winning the 1991 and 1992 Provincial Championships

**3. Minutes**

- (a) 1992 June 30
- (b) 1992 July 9 (Special Meeting)

**4. Petitions and Correspondence**

URBAN MUNICIPAL

JUL 28 1992

GOVERNMENT DOCUMENTS





**5. Reports of the Standing Committees**

- (a) Transport and Environment Committee
- (b) Parks and Recreation Committee
- (c) Planning and Development Committee
- (e) Licensing Committee
- (h) Finance and Administration Committee

**6. Notices of Motion for Next Meeting**

**7. First Reading of the Bills**

**8. Second Reading of the Bills - Committee of the Whole**

**9. Third Reading of the Bills**

**10. Question Period**

**11. Adjournment**



## **MINUTES**





1992 June 30

Hamilton City Council  
1992 June 30  
7:30 o'clock p.m.  
Council Chamber, City Hall

The Council met.

Present: Mayor Robert M. Morrow

Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino,  
Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Absent: Alderman M. Kiss - Vacation

Reverend Gilbert Holloway, Parkdale Gospel Temple led Council in prayer.

\* \* \* \* \*

Mayor R. M. Morrow presented Certificates of Recognition for Citizen Members who served on various City Committees, Boards and Commissions.

Mayor R. M. Morrow presented City of Hamilton Safety Quiz Awards to City Employees who were winners of the 1992 Safety Quiz Contest.

\* \* \* \* \*

The minutes of the meeting held 1992 May 26 and the special meeting of 1992 June 2 were adopted.

\* \* \* \* \*

**Correspondence:**

1. Letter dated 1992 June 4 from James Keenan, President, Local 5, Canadian Union of Public Employees requesting the establishment of a policy so that employees can be allowed a minimal amount of time off to pay respects.

**Referred to the Finance and Administration Committee**

2. Resolution dated 1992 June 12 from the City of Nepean respecting a fully enforced deposit based refillable/returnable system for beverage containers.

**Referred to the Transport and Environment Committee**

3. Application dated 1992 May 26 from 483466 Ontario Ltd., Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District for 829 Rymal Road East, Hamilton, Ontario.

**Received.**

4. Application dated 1992 May 27 from Alexander Stoller and Enzo Didiodate, Ancaster, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected, etc.) District for 255 Rymal Road East, Hamilton, Ontario.

**Received.**

5. Application dated 1992 June 17 from the Hamilton Society for the Prevention of Cruelty to Animals, Hamilton, Ontario for a change in zoning from "M-14" (Prestige Industrial) District to "M-13" (Prestige Industrial District modified for Block 1 and for a modification to the established "M-13" (Prestige Industrial District regulations for Block 2, for land located at Nos. 235-265 Dartnall Road.

**Received.**

6. Resolution dated 1992 June 25 from the Town of Ancaster respecting Bell Canada - Regional Long Distance Telephone Charges - Petition for Local Toll Free Calling.

**Referred to the Finance and Administration Committee**

7. Resolution dated 1992 June 22 from the City of Stoney Creek respecting the playing of Canada's National Anthem at the beginning of City Council Meetings.

**Referred to the Finance and Administration Committee**

8. Petition dated 1992 June 17 from property owners on Scenic Drive in opposition to any reconstruction of Scenic Drive between Upper Paradise and Denlow Avenue.

**Referred to the Transport and Environment Committee**

\* \* \* \* \*

It was moved by Alderman Agro and seconded by Alderman McCulloch that the Reports of the the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee, be now considered in Committee of the Whole.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*



**TRANSPORT AND ENVIRONMENT COMMITTEE - SEVENTH REPORT**

**Section 54 Re: Ministry of the Environment - PCB waste storage**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -15.

**NAYS:** Alderman Copps -1.

**CARRIED.**

\* \* \* \* \*

**Section 59 Re: Ministry of the Environment - Waste Disposal Site**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -14.

**NAYS:** Alderman Copps - 1.

**CARRIED.**

\* \* \* \* \*

**Section 66 Re: Application Fees - Residential Boulevard Parking**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, Ross, D'Amico. -14.

**NAYS:** Alderman Jackson -1.

**CARRIED.**

\* \* \* \* \*

**PARKS AND RECREATION COMMITTEE - THIRTEENTH REPORT**

**Section 3 Re: Selling of Beer and Alcoholic Beverages - Hostess Frito-Lay Company - Fastball Tournament - Globe Park**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, Ross, D'Amico. -14.

**NAYS:** Alderman Jackson. -1. **CARRIED.**

\* \* \* \* \*

**Section 5 Re: Selling of Alcoholic Beverages - Greek-Canadian Church - Annual Greek Fest on church property**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, Ross, D'Amico. -14.

**NAYS:** Alderman Jackson. -1. **CARRIED.**

\* \* \* \* \*

**Section 6 Re: Selling of Food and Alcoholic Beverages - Hamilton and District Labour Council - Labour Day Parade and Picnic - Dundurn Park**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, Ross, D'Amico. -14.

**NAYS:** Alderman Jackson. -1. **CARRIED.**

\* \* \* \* \*

**Section 7 Re: Selling of Food and Alcoholic Beverages - Mozart Chamber Orchestra  
- Lobsterfest 1992 - Dundurn Park**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, Ross, D'Amico. -14.

**NAYS:** Alderman Jackson. -1.

**CARRIED.**

\* \* \* \* \*

**Section 18 Re: Commemorative Plaque - Opening of Sackville Hill Seniors' Recreation Centre**

It was moved by Alderman Jackson and seconded by Alderman Wilson that section 18 of the Thirteenth Report of the Parks and Recreation Committee be amended by adding the following as Sub-section (c):

(c) That Bob Rae, Premier of Ontario, be recognized on the commemorative plaque to be mounted on the Sackville Hill Seniors' Recreation Centre.

**CARRIED.**

\* \* \* \* \*

**Section 20(a) Re: One Time Capital Grant to Earthsong - Princess Point - Regional Council**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -15.

**NAYS:** Alderman McCulloch -1.

**CARRIED.**

\* \* \* \* \*

**Section 21 Re: Hamilton "AA" Baseball Franchise - Stadium Facilities**

It was moved by Alderman Jackson and seconded by Alderman McCulloch that section 21 of the Thirteenth Report of the Parks and Recreation Committee be amended by adding the following words immediately after the word "renovation" in the second sentence "or new stadium"  
**CARRIED.**

\* \* \* \* \*

**Section 21 Re: Hamilton "AA" Baseball Franchise - Stadium Facilities**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Jackson, Ross, D'Amico. -6.

NAYS: Aldermen Cooke, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson. -10.  
**LOST.**

\* \* \* \* \*

**Section 23 Re: Tiger Cat Football Club - Sky-Diving Exhibition**

It was moved by Alderman Jackson and seconded by Alderman Charters that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to consider a resolution regarding the Sky Bandits Sky Diving Team at Ivor Wynne Stadium.  
**CARRIED.**

\* \* \* \* \*

**Section 23 Re: Tiger Cat Football Club - Sky-Diving Exhibition**

It was moved by Alderman Jackson and seconded by Alderman Charters that the following resolution be added to the Thirteenth Report of the Parks and Recreation Committee as Section 23:



23. (a) That permission be granted to the Tiger Cat Football Club to have a sky-diving exhibition by the Sky Bandits Sky Diving Team - Welland Flying Club, as part of the pre-game show scheduled for 1992 July 9 at Ivor Wynne Stadium.
- (b) That proof of \$3 million comprehensive general liability insurance for bodily injury and property damage naming the City as co-insured, in a form satisfactory to the City Solicitor, be provided prior to the event.

**CARRIED.**

\* \* \* \* \*

**Section 24 Re: Hamilton Tiger Cat Football Club - Use of Ivor Wynne Stadium**

It was moved by Alderman Jackson and seconded by Alderman Ross that Rule No. 8 of the City's Procedural By-law be invoked for this meeting of City Council in order to consider a motion dealing with the granting of permission to the Hamilton Tiger Cat Football Club to play their next game at the Ivor Wynne Stadium on 1992 July 9. **CARRIED.**

\* \* \* \* \*

**Section 24 Re: Hamilton Tiger Cat Football Club - Use of Ivor Wynne Stadium - 1992 July 9**

It was moved by Alderman Jackson and seconded by Alderman Ross that the following be added as Section 24 of the Thirteenth Report of the Parks and Recreation Committee:

24. That permission be granted to the Hamilton Tiger Cat Football Club to use Ivor Wynne Stadium for its next C.F.L. Home Game on 1992 July 9.

**CARRIED.**

**PLANNING AND DEVELOPMENT COMMITTEE - ELEVENTH REPORT**

**PLANNING AND DEVELOPMENT COMMITTEE - TWELFTH REPORT**

**Section 1     Re:     Residential Enclaves - North of C.N. Tracks**

It was moved by Alderman Drury and seconded by Alderman Morelli that section 1 of the Twelfth Report of the Planning and Development Committee be amended by adding the following as subsection (b) iii:

- (b)     (iii)     That the staff of the Planning Department be directed to report back to the Planning and Development Committee on the process involved to rezone the enclave lands to "residential". **CARRIED.**

\* \* \* \* \*

**FINANCE AND ADMINISTRATION COMMITTEE - FOURTEENTH REPORT**

**Section 25     Re:     1992 Canada Cup of Wrestling and Olympic Team - Co-hosting of Banquet**

Recorded vote.

**YEAS:**           Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Ross, D'Amico. -13.

**NAYS:**           Alderman Copps - 1. **CARRIED.**

\* \* \* \* \*

**Section 36                      Re:    Awarding of Civic Gold Rings, Pins and Diamond Insert**

Recorded vote.

**YEAS:**            Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Ross, D'Amico. -13.

**NAYS:**           Alderman Copps - 1. **CARRIED.**

\* \* \* \* \*

**Section 53 (d) and (e)        Re:    Bills H-46 and H-47**

It was moved by Alderman Ross and seconded by Alderman D'Amico that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to allow the introduction of two Bills respecting the issuance of debentures for the conversion of street lights to Hydro High Pressure Sodium Street Lights and the 1992 Road Reconstruction Program. **CARRIED.**

\* \* \* \* \*

**Section 53 (d) and (e)        Re:    Bills H-46 and H-47**

It was moved by Alderman Ross and seconded by Alderman D'Amico that the following be added as Sub-section (d) and (e) respectively of Section 53 of the Fourteenth Report for 1992 of the Finance and Administration Committee:

(d)    Bill H-46      A By-law to authorize the 1992 Reconstruction Program.

(e)    Bill H-47      A By-law to authorize a Hydro High Pressure Sodium Street Lighting Conversion Program.

**CARRIED.**

\* \* \* \* \*

**Section 54**

**Re: Authorization to attend the Commemoration of the 50th Anniversary of the Deippe Raid - Dieppe, France**

It was moved by Alderman Ross and seconded by Alderman D'Amico that the following be added as Section 54 of the **FOURTEENTH** Report for 1992 of the Finance and Administration Committee:

- "(a) That Alderman W. McCulloch be authorized to attend the Commemoration of the 50th Anniversary of the Dieppe Raid being held in Dieppe, France in 1992 August as the City's Representative; and
- (b) That the cost for this participation be charged to the Legislative Travel Account No. CH55201 10010."

**CARRIED.**

<b>NOMINATING COMMITTEE - THIRD REPORT</b>
--

\* \* \* \* \*

It was moved by Alderman Agro and seconded by Alderman McCulloch that Alderman H. Merling be appointed as Acting Mayor for the month of July, 1992. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Agro and seconded by Alderman McCulloch that the Reports of the Committee of the Whole on the Reports of the Transport and Environment Committee, Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee and resolutions, be adopted.



Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Agro and seconded by Alderman McCulloch that the following Bills be now read a first time:

A-44, A-45, A-46, A-47, A-48, A-49, A-50, A-51, A-52, A-53, A-54.

C-60, C-61, C-62, C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72.

H-43, H-44, H-45, H-46, H-47.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Agro and seconded by Alderman McCulloch that Council move into Committee of the Whole to consider the following Bills, with Alderman Cooke in the chair. (second reading).

A-44, A-45, A-46, A-47, A-48, A-49, A-50, A-51, A-52, A-53, A-54.

C-60, C-61, C-62, C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72.

H-43, H-44, H-45, H-46, H-47.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

CARRIED.

\* \* \* \* \*

Consideration of the Bills (second reading).

Recorded vote Bill H-44: A By-law to Amend By-law 79-323 respecting the Licensing of: Taxi Cabs and Livery Vehicles.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Jackson, Merling, Anderson, Ross, D'Amico. -14.

NAYS: Aldermen Eisenberger, Charters. -2.

CARRIED.

\* \* \* \* \*

It was moved by Alderman Agro and seconded by Alderman McCulloch that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-44, A-45, A-46, A-47, A-48, A-49, A-50, A-51, A-52, A-53, A-54.

C-60, C-61, C-62, C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72.

H-43, H-44, H-45, H-46, H-47.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

1992 June 30

\* \* \* \* \*

It was moved by Alderman Agro and seconded by Alderman McCulloch that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-44, A-45, A-46, A-47, A-48, A-49, A-50, A-51, A-52, A-53, A-54.

C-60, C-61, C-62, C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72.

H-43, H-44, H-45, H-46, H-47.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

\* \* \* \* \*

City Council then adjourned at 10:15 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

---

Mayor R. M. Morrow

J. J. Schatz  
City Clerk

1992 June 30

1992 July 9

**SPECIAL MEETING OF HAMILTON CITY COUNCIL**

Thursday, 1992 July 9

6:00 o'clock p.m.

Council Chamber

The Council met.

**PRESENT:** Robert M. Morrow, Mayor  
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson,  
Agostino, Eisenberger, Charters, Jackson, Ross, D'Amico.

**ABSENT:** Alderman B. Morelli  
Alderman H. Merling  
Alderman T. Anderson

His Worship Mayor Robert M. Morrow called the meeting to order.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Jackson that Council move into Committee of the Whole to consider resolution(s) respecting the Hamilton Tiger-Cat Football Club with Mayor Morrow in the chair.

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, D'Amico, Ross. -14.

**NAYS:** -0.

**CARRIED.**

\* \* \* \* \*



It was moved by Alderman Ross and seconded by Alderman Agro

- (a) That the Ivor Wynne Stadium Complex be leased to the proposed Non-Profit Corporation which is being created to operate the Hamilton Tiger-Cat Football Club, under the same terms and conditions as the Licence Agreement granted by City Council in adopting Item 22 of the Eleventh Report of the Parks and Recreation Committee on May 26, 1992 subject to the following:
  - (i) Annual rent will be \$1.00 per year including Exhibition and Play-off Games and the Training Camp;
  - (ii) The Team will be granted the Concession Rights for \$1.00;
  - (iii) That this Licence Agreement become void if the Team fails to acquire, or terminates it's non-profit status.
- (b) That the Corporation of the City of Hamilton undertake to purchase tickets and/or advertising from the Non-Profit Corporation for an amount of \$100,000. annually for the years 1992, 1993 and 1994.
- (c) That an agreement satisfactory to the Chief Administrative Officer and City Solicitor be entered into between the Non-Profit Corporation and the Corporation of the City of Hamilton respecting the football club's use of the Ivor Wynne Stadium Complex.

Recorded vote on Section (a)

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Wilson, Agostino, Eisenberger, Charters, Jackson, D'Amico, Ross. -12.

NAYS: Aldermen Kiss, Copps, -2.

**CARRIED.**

Recorded vote on Section (b)

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Ross, D'Amico. -5.

NAYS: Aldermen Cooke, Kiss, Drury, Copps, Wilson, Agostino, Eisenberger,  
Charters, Jackson. -9. **LOST.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Jackson that the Report of the Committee of the Whole containing resolution(s) respecting the Hamilton Tiger-Cat Football Club, be now adopted. **CARRIED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, D'Amico, Ross. -14.

NAYS: -0. **CARRIED.**

\* \* \* \* \*

Bill H-48: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

It was moved by Alderman Cooke and seconded by Alderman Jackson that Bill H-48 be now read a first time.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, D'Amico, Ross. -14.

NAYS: -0. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Jackson that Bill H-48 be now considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, D'Amico, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

Consideration of Bill H-48 (second reading)

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Jackson that the Report of the Committee of the Whole on Bill H-48 be now adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, D'Amico, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

1992 July 9

It was moved by Alderman Cooke and seconded by Alderman Jackson that Bill H-48 be now read a third time, signed, sealed and enrolled as a By-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, D'Amico, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

The meeting adjourned at 8:30 o'clock p.m.

\* \* \* \* \*

J. J. Schatz  
City Clerk





**CORRESPONDENCE**



**Correspondence:**

1. Letter dated 1992 July 2 from the Board of Education for the City of Hamilton regarding concerns of perceived problems relating to public safety.

**Recommendation:**                      **Be Referred to the Transport and Environment Committee.**

2. Resolution dated 1992 July 13 from the Corporation of the City of Burlington respecting LaSalle Park.

**Recommendation:**                      **Be Referred to the Finance and Administration Committee.**

3. Memorandum dated 1992 July 21 from J. J. Schatz, City Clerk to Members of City Council regarding the Clerk's Statement on Candidates Disclosure.

**Recommendation:**                      **Be Received.**

4. Application dated 1992 July 8 from Mr. and Mrs. Edmondo Ciardullo, Hamilton, Ontario for a modification to the established "AA" (Agricultural) District regulations for Block "1" and to the established "C" (Urban Protected Residential, etc.) District regulations for Block "2", for property located at Nos. 1468 and 1478 Upper James Street, Hamilton, Ontario.

**Recommendation:**                      **Be Received.**

5. Letter dated 1992 July 6 from J. J. Schatz, City Clerk respecting an objection to By-law 92-112 regarding property at 165 Burton Street, Hamilton, Ontario. (previously distributed)

**Recommendation:**                      **Be Received.**





JUL 13 1992

cc:

City Council Members

The Board of Education for the City of Hamilton  
Le Conseil de l'éducation de la ville de H

100 Main Street West  
Hamilton, Ontario  
Telephone (416) 527-5092  
Fax (416) 521-2539



1.

Director of Education & Secretary

1992 07 02

His Worship Mayor Robert Morrow  
The Corporation of the City of Hamilton  
71 Main Street West  
Hamilton, Ontario L8N 3T4

Dear Mayor Morrow:

At a Special Meeting of the Board held on Tuesday, 1992 06 30, the following motion was adopted:

That this Board notify the following immediately to convey the grave concerns of safety expressed by every delegation at last night's Special Meeting of the Operations Management Committee:

1. City of Hamilton
2. Hamilton Safety Council
3. Hamilton-Wentworth Police Department
4. Block Parent Association
5. Hamilton Street Railway
6. Hamilton Board of Education Principals
7. Education Officer, Ministry of Education
8. The Home and School Associations

And further, that this Board convey its concerns of perceived problems relating to public safety - stressing this Board's willingness to work collaboratively with each group to help make Hamilton a safe place for not only students but all residents; not just safe to and from school Monday to Friday, but all day, every day.

The prelude to this motion was the decision of the Board that, effective September, 1992, Grades 6, 7 and 8 students living less than 2.4 kilometres (1.5 miles) from school would not qualify for transportation. This decision was made in the face of very difficult budgeting and the fact that the Ontario government has severely cut grants for transportation.

On Monday, 1992 06 29, a Special Meeting of the Board's Operations Management Committee was held to consider input from the community regarding concerns. It was apparent from the six presentations that evening that the chief concern is the general level of safety in the Hamilton community and not the extra distance the students must walk. After the presentations and following a lengthy debate, the members of the Board elected not to revert back to the previous Policy of providing transportation for Grades 6, 7 and 8 students living over 1.6 kilometres from their school.

Mailing Address  
P.O. Box 2558  
Hamilton, Ontario  
L8N 3L1

Adresse postale  
C.P. 2558  
Hamilton (Ontario)  
L8N 3L1

The members collectively share the concern of the community about the issue of safety but feel strongly that such is not the sole responsibility of the Hamilton Board of Education. They indicated their willingness to take an active part in working with others who share in this responsibility - both Municipally and Provincially - to find a solution.

If you are in agreement that the issue of safety is indeed a shared responsibility, we would be pleased to hear from you. Your suggestions on how we could work co-operatively to problem solve some of these concerns will be directed to our Transportation Committee which will be studying these issues in the early Fall.

Sincerely,

  
K. A. Rielly  
Director of Education  
and Secretary

rm

cc: Transport and Environment Committee

The Corporation of the  
City of Burlington

City Hall:  
426 Brant Street, Burlington, ON  
Mailing Address:  
P.O. Box 5013, Burlington, ON

Telephone: (416) 335-7111  
Fax No.: (416) 335-7111

July 14, 1992

Mr. J. J. Schatz  
City Clerk  
City of Hamilton  
71 Main Street W.  
Hamilton, Ontario  
L8N 3T4

Dear Mr. Schatz:

SUBJECT: LaSalle Park  
File: 930-01

The Council of the Corporation of the City of Burlington at its meeting held on Monday, July 13, 1992 enacted the following resolution being Item No. CC-238-92 (Motion 160):

THAT the letter dated June 30, 1992 from the City of Hamilton concerning the possible sale of LaSalle Park to the City of Burlington be received and filed;

and that a committee composed of Alderman Greenaway, Alderman MacIsaac, Alderman Whitworth, Mayor Mulkewich, City Manager Michael Fenn and Director of Parks and Recreation Jim Olmstead meet and consult with the City's Legal Department with respect to the terms of the current lease for LaSalle Park;

and that the committee consider the City's role in the Hamilton Harbour Remedial Action Plan and the Fish and Wildlife Habitat Plan;

and that the committee consider the financial implications of future LaSalle Park needs;

and that the committee report back to the Community and Corporate Services Committee with recommendations on possible future negotiations with the City of Hamilton.

Please direct any inquiries about the above resolution to the Office of the Mayor at 335-7607.

Yours truly,



Helen MacRae  
EXECUTIVE DIRECTOR, INFORMATION  
SERVICES AND CITY CLERK

LB/jm  
5648-(7)CL2

cc: Mayor Mulkewich  
Alderman Greenaway  
Alderman Whitworth  
Alderman MacIsaac  
Mr. M. Fenn, City Manager  
Mr. J. Olmstead, Director of Recreation  
Mr. D. Brown, City Solicitor

2.

OFFICE OF THE CITY CLERK

JUL 20 1992

REC. BY .....	DATE
REF'D. TO	DATE
REF'D. TO	DATE
REF'D. TO	DATE

ACTION





J. J. SCHATZ  
CITY CLERK

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK  
71 MAIN STREET WEST  
HAMILTON, ONTARIO L8N 3T4

PHONE (416) 546-2700  
FAX (416) 546-2090

1992 June 30

VIA FAX #335-7876 & VIA MAIL

Ms. Helen MacRae  
City Clerk  
City of Burlington  
P. O. Box 5013  
426 Brant Street  
Burlington, Ontario  
L7R 3Z6

Dear Ms. MacRae:

Subjoined herewith for your information is a copy of Section 23 of the TWELFTH Report for 1992 of the Finance and Administration Committee approved by City Council at its meeting held 1992 May 12th:

23. (a) That Mayor Morrow; Alderman Ross, Chairperson of the Finance and Administration Committee; and J. Pavelka, Acting Chief Administrative Officer be authorized to meet with representatives from the City of Burlington to negotiate the possible sale of LaSalle Park to the City of Burlington.
- (b) That the revenue from the sale of LaSalle Park be used for City of Hamilton Waterfront Projects.

Yours very truly,

J. J. Schatz  
City Clerk

JJS/SKR/dbm

c.c. - Mayor Morrow

- Alderman D. Ross, Chairperson  
Finance and Administration Committee
- J. Pavelka, Chief Administrative Officer
- D. Vyce, Director of Property

- 1992 June 12 Council File

**CORPORATION OF THE CITY OF HAMII**  
**MEMORANDUM**

3.

TO: Members of City Council

YOUR FILE:

FROM: Mr. J. J. Schatz  
City Clerk  
Returning Officer

FROM:  
OUR FILE:  
PHONE: 546-2727

SUBJECT: CLERK'S STATEMENT ON CANDIDATES DISCLOSURE. DATE: 1992 JULY 21

Please find attached the "Clerk's Statement on Candidates Disclosure" respecting the 1991 Municipal Election as required by Section 132(5) of the Municipal Elections Act.

The Act requires that the "Clerk's Statement" be submitted to "the Council of the municipality, school board or local board as the case may be".

The Statement reflects the status of candidate disclosures as of the filing deadline of June 30th, 1992. Candidates who have not complied with the Elections Act are given 30 days from the date of receiving their notice to file from the Municipal Clerk to comply.

*[Handwritten signature]*

A

**FORM 34**

**CLERK'S STATEMENT ON CANDIDATES' DISCLOSURE**

**MUNICIPAL ELECTIONS ACT (SECTION 132(5))**

For the campaign period ending March 31, 1992

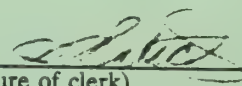
The registered candidates listed in Schedule A attached hereto have filed their financial statement and auditor's report, financial report or statutory declaration of their campaign contributions and expenses in accordance with the **Municipal Elections Act**.

Particulars of the information received from the candidates are also set forth in Schedule A attached hereto. Copies of the complete information received are available for inspection in the clerk's office.

The following registered candidates have not complied with the **Municipal Elections Act**:

Abad, Sunita  
Armstrong, Barry  
Brown, Doug  
Chiappetta, Fabio  
Childs, Tyrone  
Clark, Dennis  
Crawford, John  
Cupido, Mario  
Dodds, Ted  
Dowhaniuk, Craig  
Easson, Jeanette  
Faner, James  
Files, Norm  
Fortino, Ben  
Garon, Pierre  
Gorle, Howard  
Gould, Keith  
Hicks, Wesley Jr.  
Hicks, Wes  
Ivor Wynne, Eifion  
Johnson, Doreen  
McGilligan, Donald  
McPhail, Chuck  
Milton, John  
Morrison, David  
Newton, William  
O'Hagan, Carol  
Peitchinis, Greg  
Perri, Anthony  
Perri, Frank  
Polmanter, Gerald  
Robert, Robert  
Robinson, William  
Sejgwick, Thomax  
Tittarelli, Gino  
Tomasic, Angie  
Trombetta, Joseph  
Venneri, Tony  
Yates, Timothy

I, Joseph J. Schatz, clerk of the municipality of the City of Hamilton, hereby certify that the information submitted above is true and correct.

  
(signature of clerk)

July 20, 1992  
(date)

## Schedule A

Name of registered candidate	Total contributions received	Total campaign expenses
<b>FORM 31</b>		
Agostino, Dominic	\$ 12,198.38	\$ 15,980.14
Agro, Vince	27,861.60	14,224.65
Cooke, Terry	10,386.70	9,813.54
Gallagher, John	9,894.06	11,966.42
Hinkley, Brian	27,013.74	4,353.59
Jackson, Tom	4,763.00	10,715.54
Merling, Henry	9,859.06	9,915.85
Morrow, Bob	50,636.94	55,483.38
Tarpos, Tommy	14,528.07	14,528.07
Whynott, Reginald	33,022.27	11,982.42



**Schedule A**

Name of registered candidate	Total contributions received	Total campaign expenses
<b>FORM 32</b>		
Agro, Tony	\$ 224.25	\$ 3,472.69
Anderson, Terry	4,210.30	4,210.30
Bishop, Judith	2,461.82	2,461.82
Charters, Bob	2,413.06	5,757.44
Clarke, Don	5,028.06	6,829.97
Cooper, Robert	Nil	2,413.00
Copps, Geraldine	800.00	3,712.56
D'Amico, Frank	5,881.55	9,062.14
Daly, Patrick	3,543.31	3,543.31
Drury, Don	6,041.32	7,296.57
Eisenberger, Fred	Nil	5,737.61
Eleveld, Charles	790.00	3,128.63
Formosi, Vince	7,344.66	7,344.66
Gage, Brian	400.00	2,024.59
Gallagher, Tom	2,868.35	2,868.35
Gardiner, Dan	2,218.00	2,218.00
Helwig, Robert	2,932.27	2,932.27
Hill, Peter	3,294.10	3,881.58
Ielasi, Pat	Nil	1,788.04
Jaggard, Paul	Nil	4,681.47
Kiss, Mary	2,098.00	6,967.34
Korz, Geoff	1,525.00	3,938.67
Lombardo, Fred	16,585.00	17,432.15
Lowe, Marion	Nil	3,867.12
Lowe, Joyce	174.10	2,692.95
McCulloch, Bill	8,240.25	7,369.91
Morelli, Bernie	5,708.68	6,830.21
Morreale, James	500.00	2,745.27
Murray, Tom	8,396.00	9,459.62
Oddi, Mike	128.06	Nil
Orban, Lillian	Nil	2,962.72
Rizzato, Michelle	7,385.00	5,681.04
Rodgers, Susan	2,020.00	3,214.75
Ross, Don	13,016.96	12,727.66
Ross, John	3,152.69	3,152.69
Stanidis, Danny	153.68	960.17
Tassi, Filomena	Nil	2,702.26
Whittle, Alan	2,991.00	6,673.78
Wilson, Dave	5,251.76	5,395.04

**Schedule A - FORM 33**

Agostino, Ralph  
Allen, Herbert  
Auguste, Dale  
Baldasaro, Michael  
Blain, Leo  
Bourque-Mikelsons, Claudette  
Boychuk, Wayne  
Buchan, Gordon  
Consalvo, Felice  
Cosentino, Larry  
Cote, Jack  
Cunningham, Margaret  
Darby, Grant  
DeLuca, A. Ralph  
DeSantis, Victoria  
Desmarais, Jean  
Dion, Johanne  
Dowhaniuk, Nick  
Ecker, Michael  
Epifani, Angelo  
Fairclough, Mark  
Fernandes, Shane  
Harrison, Robert  
Hepworth, Lucy  
Hill, Sandra  
Jervis, Joan  
Johnston, John  
Johnstone, David  
Jones, Bill  
Kelly, Guido  
Kennedy, Kyran  
Kennedy, Peter  
Kilgour, Murray  
Laidlaw, William  
Lavoie, Roger  
Levesque, Marcel  
Lewis, John  
Manganiello, Fiore  
Mann, Robert  
Marchildon, Gerard  
Marks, Dolores  
Mason, Carol Ann  
Monahan, James  
Morgan, Daniel  
Morris, Brian  
Mulholland, Ray  
Navarro, Eduardo  
O'Hagen, Peter  
Pagett, Richard  
Paquin, Hubert  
Parks, Thomas  
Partito, Edward  
Patenaude, Marie  
Paxton, Peter  
Renaud, Charles  
Rocchi, John  
Rogers, Joseph  
Rose, Robert  
Rostic-Hamilton, Frank  
Rothwell, Donald

Salvatori, Frank  
Sauvé, Richard  
Seunarine, I. Fulton  
Shaw, Terry  
Smith, Judy  
Stasiuk, Ann  
Stewart, Robert  
Stewart, Joyce  
Synnott, Ronald  
Toby, Jeffers  
Tozzi, Julie  
Tucker, Jo-Anne  
Westbrook, Robert  
Wheeler, Reg  
Wilson, Helen  
Wilson, Janice









1992 July 28

## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **EIGHTH** Report for 1992 and respectfully recommends:

1.
  - (a) That four-way stop control be implemented at the intersection of East 33rd Street and Queensdale Avenue; and
  - (b) That three-way stop control be implemented at the intersection of East 36th Street and Queensdale Avenue; and
  - (c) That four-way stop control be implemented at the intersection of East 43rd Street and Queensdale Avenue; and
  - (d) That three-way stop control be implemented at the intersection of Nancy Street and Queensdale Avenue; and
  - (e) That the City Traffic By-law No. 89-72 be amended accordingly.
2.
  - (a) That the existing three-way stop control at the intersection of Broughton Avenue and Grayrocks Avenue be removed; and
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
3.
  - (a) That southbound traffic on Fraser Avenue be required to stop for eastbound and westbound traffic on Edinburg Avenue; and
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.

1992 July 28

4.
  - (a) That westbound traffic on Caswell Drive be required to stop for northbound and southbound traffic on Amalfi Street; and
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
5.
  - (a) That westbound traffic on Beaverton Drive be required to stop for northbound and southbound traffic on Acadia Drive; and
  - (b) That northbound traffic on Butler Drive be required to stop for eastbound and westbound traffic on Acadia Drive; and
  - (c) That westbound traffic on Cartier Crescent be required to stop for northbound and southbound traffic on Acadia Drive; and
  - (d) That the City Traffic By-law No. 89-72 be amended accordingly.
6.
  - (a) That northbound traffic on Philomena Drive be required to stop for eastbound and westbound traffic on Claudette Gate; and
  - (b) That northbound traffic on Spadara Drive be required to stop for eastbound and westbound traffic on Benvenuto Crescent; and
  - (c) That eastbound traffic on Benvenuto Crescent (south leg) be required to stop for northbound and southbound traffic on Claudette Gate; and
  - (d) That westbound traffic on Claudette Gate be required to stop for northbound and southbound traffic on Spadara Drive; and
  - (e) That the City Traffic By-law No. 89-72 be amended accordingly.
7.
  - (a) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Queensdale Avenue East commencing at a point 33 feet west of the west curb line of Nancy Street and extending to a point 120 feet westerly therefrom; and
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.

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8.
  - (a) That a "Permit Parking" regulation be implemented on the north side of Peter Street, commencing at a point 47 feet west of Ray Street North and extending to a point 21 feet westerly therefrom; and
  - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Frank Znamecz, 93 Peter Street; and
  - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
9.
  - (a) That a "Permit Parking" regulation be implemented on the east side of Rosslyn Avenue North commencing at a point 216 feet north of Cannon Street East and extending to a point 26 feet northerly therefrom; and
  - (b) That a "Permit Parking" regulation be implemented on the west side of Rosslyn Avenue North commencing at a point 241 feet north of Cannon Street East and extending to a point 26 feet northerly therefrom; and
  - (c) That the Director of Traffic Services be authorized to issue two parking permits to Mrs. O'Callaghan, No. 180 Rosslyn Avenue North; and
  - (d) That the City Traffic By-law No. 89-72 be amended accordingly.
10.
  - (a) That the existing "Permit Parking" regulation on the north side of Clinton Avenue commencing at a point 310 feet west of Lottridge Street and extending to a point 23 feet westerly therefrom be removed; and
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
11.
  - (a) That a "No Stopping, Wheelchair Loading Only, 9:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the east side of Kinrade Avenue commencing at a point 517 feet south of Barton Street East and extending to a point 30 feet southerly therefrom; and
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.



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12. (a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the north side of Jackson Street East commencing at a point 53 feet east of Spring Street and extending to a point 97 feet easterly therefrom, be shortened such that the regulation commences at a point 53 feet east of Spring Street and extends to a point 65 feet easterly therefrom; and
- (b) That the existing "No Parking" regulation on the north side of Jackson Street East which commences at Wellington Street South and extends to a point 150 feet westerly, be extended, such that the regulation commences 118 feet east of Spring Street and extends to Wellington Street South; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.
13. (a) That parking be prohibited on the west side of Rushdale Drive commencing at a point 102 feet south of the extended south curb line of Ruby Street and extending to a point 68 feet southerly therefrom; and
- (b) That parking be prohibited on the north side of Rushdale Drive commencing at the west curb line of Rushdale Drive and extending to a point 137 feet westerly therefrom; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.
14. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the east side of Ferguson Avenue South commencing at a point 30 feet south of Hunter Street East and extending to a point 115 feet southerly therefrom and on the west side of the street commencing at a point 31 feet south of Hunter Street East and extending to a point 91 feet southerly therefrom; and
- (b) That a "No Parking" regulation be implemented on the west side of Ferguson Avenue South commencing at a point 207 feet south of Hunter Street East and extending to a point 115 feet southerly therefrom; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

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15. (a) That the existing "No Parking" regulation on the east side of Mountwood Avenue which commences at Rockwood Place and extends to a point 146 feet northerly therefrom, be replaced with a "No Stopping" regulation; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
16. (a) That a "Permit Parking" regulation be implemented on the east side of Ferguson Avenue South between Charlton Avenue East and Foster Street; and  
(b) That the Director of Traffic Services be authorized to issue, upon request, one parking permit to each of the first seven eligible applicants residing in the block to a maximum of seven permits; and  
(c) That the City Traffic By-law No. 89-72 be amended accordingly.
17. (a) That the existing "Alternate Side Parking" regulation on Fairfield Avenue between Barton Street East and Britannia Avenue be replaced with a "No Parking" regulation on the west side and unrestricted free parking on the east side; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
18. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Bay Street South between Aberdeen Avenue and Inglewood Drive; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
19. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first twelve eligible applicants residing in the apartment building at No. 4 Paisley Avenue South.
20. (a) That the existing "Permit Parking" regulation on the west side of Elgin Street commencing at a point 93 feet south of Robert Street and extending to a point 20 feet southerly therefrom be removed; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.

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21.
  - (a) That eastbound traffic on Borodino Court be required to stop for northbound and southbound traffic on Essling Avenue; and
  - (b) That parking be prohibited on the south side of Essling Avenue (north leg) commencing at the west curb line of Essling Avenue and extending to a point 92 feet westerly therefrom; and
  - (c) That parking be prohibited on the west side of Essling Avenue commencing at the south curb line of Essling Avenue (north leg) and extending to a point 69 feet southerly therefrom; and
  - (d) That parking be prohibited on the east side of Essling Avenue commencing at the north curb line of Essling Avenue (south leg) and extending to a point 88 feet northerly therefrom; and
  - (e) That the City Traffic By-law No. 89-72 be amended accordingly.
22. That the Chief Administrative Officer and the Director of Traffic Services be authorized to make a presentation to the Hamilton Board of Education and to the Hamilton-Wentworth Roman Catholic Separate School Board on the subject of school patrols.
23.
  - (a) That the Commissioner of Transportation/Environmental Services be authorized and directed to issue a purchase order to Jay Chris Indus-Rail Supply Incorporation for \$18,000. to purchase the Hi-Rail rubber crossing materials for Cannon Street at Glendale Avenue, C.P. Rail crossing.
  - (b) That the expenditures be financed from City Account No. 57409 52010 (Specific Maintenance).
24. That the application of T. Farrar, agent for the Cycle Hamilton (244 Jackson Street West, Hamilton) to temporarily close Hess Street from King to Main, George Street from Hess to Caroline, George Street from Queen to Ray and Ray Street from George to King on Monday, 1992 September 7 from 1:00 p.m. to 5:00 p.m. in order to hold the annual Hess Village Grand Prix Bicycle Race, be approved, subject to the following conditions:
  - (a) That approval from the Regional Police Services be received prior to consideration by City Council of an application for a complete closure;



- (b) That the applicant provide proof of \$2,000,000. public liability insurance naming the Region and the City of Hamilton as an added insured party with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of the Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways if deemed necessary by the Director of Traffic Services and at the expense of the applicant;
  - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads to the satisfaction of the City and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
25. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the request of J. Clavel, agent for the Treasury Board of Canada (150 Main Street West, Hamilton) to temporarily close George Street between Caroline Street and Hess Street on Tuesday, 1992 June 30 from 10:00 a.m. to 2:00 p.m. for a Canada Day celebration subject to the following conditions:
- (a) That approval from the Regional Police Services be received;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance naming the Region and the City of Hamilton as an added insured party with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of the Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;



1992 July 28

- (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways if deemed necessary by the Commissioner of Transportation/Environmental Services;
  - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads to the satisfaction of the Region and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants in the closure area be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
26. That the application of A. Sno, agent for the Westdale Business Improvement Association (944 King Street West, Hamilton) to temporarily close King Street West between Paisley Avenue and Marion Avenue from 8:00 a.m., Saturday, 1992 September 19 to 11:59 p.m., be approved subject to the following conditions:
- (a) That approval from the Regional Police Services be received;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance naming the Region and the City of Hamilton as an added insured party with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of the Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways if deemed necessary by the Director of Traffic Services and at the expense of the applicant;

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- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads to the satisfaction of the City and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
27. That the application of the Region of Hamilton-Wentworth (1 James Street South) to temporarily close the following City streets on Saturday, 1992 July 25 from 12:00 noon to 10:00 p.m. and Sunday, 1992 July 26 from 12:00 noon to 8:00 p.m.

Bay Street North from Burlington Street to Guise Street  
MacNab Street North from Burlington Street to Guise Street  
James Street North from Burlington Street to Guise Street  
Hughson Street North from Burlington Street to Guise Street  
John Street North from Burlington Street to Guise Street  
Catherine Street North from Burlington Street to Guise Street  
Mary Street North from Burlington Street to Guise Street  
Ferguson Avenue North from Burlington Street to Guise Street  
Guise Street from Bay Street to Ferguson Avenue;

in order to hold their annual Greater Hamilton Aquafest be approved subject to the following conditions:

- (a) That approval from the Regional Police Services be received;
- (b) That the applicant provide proof of \$2,000,000. public liability insurance naming the Region and the City of Hamilton as an added insured party with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- (c) That all barricading, detour signing and traffic control be subject to the direction of the Regional Police Services;

1992 July 28

- (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways if deemed necessary by the Director of Traffic Services and at the expense of the applicant;
  - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads to the satisfaction of the City and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
28. That the application of D. Reid agent for the Hamilton Municipal Employees Credit Union (50 Jackson Street West) to hold a fund raising hot dog sale on the sidewalk in front of 50 Jackson Street West on Thursday, 1992 August 13 from 11:00 a.m. to 2:00 p.m., be approved, subject to the following conditions:
- (a) That approval from the Regional Police Services be received;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance naming the Region and the City of Hamilton as an added insured party with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That the applicant ensure that clean-up operations be carried out immediately following the event to the satisfaction of the Region and at the expense of the event organizer.



1992 July 28

29. That the application to retain an inadvertent encroachment (a concrete porch and steps measuring 3.0' x 15.40') at 337 Strathearne Avenue North be approved during the pleasure of City Council provided:
- (a) That the owner enter into an agreement satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement.
  - (c) That the first year fee of \$112. and subsequent annual fee of \$20. be set for this encroachment.
30. (a) That the following City land be incorporated into the street as indicated below in order to provide access from the adjacent lands:
- Acadia Drive Parts 30, 3 and 6 - Plan 62R-11096
  - Acadia Drive Part 13 - Plan 62R-11922 and Part 15 - Plan 62R-11096.
- (b) That the by-law to carry out the incorporation of the said lands into the foregoing street be enacted by City Council.
  - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
31. (a) That the City of Hamilton enter into a new lease agreement with Playfair Developments Ltd. in accordance with the following terms:
- |           |   |
|-----------|---|
| Property: | 25 Main Street West, Suite 2215, Hamilton   |
| Area:     | 1,200 square feet   |
| Term:     | One (1) year, eleven (11 months) commencing 1992 August 1, terminating 1994 June 30 |



1992 July 28

Rental Rate: \$18. per square foot (Gross) \$21,600. annually, \$1,800. per month

Escalation: The City is to pay realty tax and operating cost escalation over the 1991 base year on a proportionate share.

Option to Renew: The City has the Option to Renew this lease for a further one (1) year. All terms and conditions are to remain the same, save and except, the rental rate which shall be negotiated six (6) months prior to the expiry of the initial term.

Improvement Allowance: The Lessor will at its cost clean the carpet, bring the space up to professional standards and remove and relocate demising walls prior to occupancy.

- (b) That the lease agreement dated 1990 March 9 between the Corporation of the City of Hamilton and Playfair Developments Ltd for Suite 1500, 25 Main Street West be terminated.
  - (c) That the Mayor and City Clerk be authorized to execute a lease agreement in a form satisfactory to the City Solicitor.
32. (a) That an Offer to Purchase, duly executed by Kwong-Yuen Ho and Daniel Cheuk-Kin Yung 1992 June 16 and scheduled for closing on or before 1992 September 25 for a portion of City-owned property composed of part of Lot 31, Registered Plan 823, formerly in the Township of Barton, now in the City of Hamilton, having a frontage of 10.86 metres (35.65 feet) more or less, by a depth of 5.166 metres (16.95 feet) more or less, being irregular in shape and comprising a total area of 37.596 square metres (404.7 square feet) more or less, more particularly described as Part 4 on Registered Plan 62R-10628, being located immediately in front of No. 112 Chesley Street, be approved and completed and the funds derived from the sale of \$1. be credited to Account No. CH4X999 00102 (Reserve for Property Purchases).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

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33. (a) That an Offer to Purchase, duly executed by Fiorisa and Antonio Cirone on 1992 July 6 and scheduled for closing on or before 1992 October 20 for a portion of City-owned property composed of part of Lot 31, Registered Plan 823, formerly in the Township of Barton, now in the City of Hamilton, having a frontage of 12.033 metres (39.48 feet) more or less, by a depth of 5.166 metres (16.95 feet) more or less, being irregular in shape and comprising a total area of 44.675 square metres (480.9 square feet) more or less, more particularly described as Part 3 on Registered Plan 62R-10628 and being located directed in front of No. 116 Chesley Street, be approved and completed and the funds derived from this sale of \$1. be credited to Account No. CH4X999 00102 (Reserve for Property Purchases).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
34. (a) That the construction of a concrete sidewalk on the north side of Limeridge Road from approximately 400 m east of Upper Wellington Street to approximately 127 m easterly and on the south side of Limeridge Road from Upper Wellington Street to approximately 263 m easterly and from approximately 376 m east of Upper Wellington Street to approximately 69 m easterly proceed as Local Improvements pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of twenty-one thousand dollars (\$21,000.) and fifty thousand dollars (\$50,000.) respectively as provided in the 1992 portion of the 1992 to 2001 Capital Budget with a City's share of ten thousand, eight hundred and sixty dollars and eighty cents (\$10,860.80) and twenty-three thousand, four hundred and forty dollars (\$23,440.) respectively and an Owner's share of ten thousand, one hundred and thirty-nine and twenty cents (\$10,139.20) and twenty-six thousand, five hundred and sixty dollars (\$26,560.) respectively; and
- (b) That the Finance and Administration Committee be requested to recommend a source of funds for these Capital Projects; and
- (c) That the Senior Director of Roads be authorized to construct these works once all of the necessary approvals have been received.

35. (a) That the portion of Section 3 of the Fourth Report of the Transport and Environment Committee for 1992 adopted by City Council on 1992 March 10 which refers to approval of engineering schedules for "Claudette Gardens - Phase 1", Hamilton be deleted.
- (b) That the portion of Section 6 of the Fifth Report of the Transport and Environment Committee for 1991 adopted by City Council on 1991 March 12, which refers to the approval of the engineering schedules for "Paradise Gate Estates", Hamilton be deleted.
- (c) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreements with the Owners for the estimated cost of services in:
1. "CLAUDETTE GARDENS - PHASE 1", Hamilton

City's Share	-	nil
Owner's Share	-	\$324,865.22
  2. "PARADISE GATE ESTATES - PHASE 1", Hamilton

City's Share	-	nil
Owner's Share	-	\$290,422.
  3. "THE GARDENS OF RYMAL - PHASE 3", Hamilton

City's Share	-	\$ 5,479.45
Owner's Share	-	\$166,224.10
  4. "THE GARDENS OF RYMAL - PHASE 4", Hamilton

City's Share	-	\$ 8,317.73
Owner's Share	-	\$167,563.09
  5. "RYMAL SQUARE ESTATES - PHASE 3", Hamilton

City Share	-	\$62,625.60
Owner's Share	-	\$55,568.
- (d) That the Mayor and City Clerk be authorized and directed to execute the proposed subdivision agreements with the Owners of "Claudette Gardens - Phase 1", Hamilton, "Paradise Gate Estates - Phase 1", Hamilton, "The Gardens of Rymal - Phase 3", Hamilton, "The Gardens of Rymal - Phase 4", Hamilton and "Rymal Square Estates - Phase 3", Hamilton.
- (e) That approval of the above-noted clauses be subject to the condition that no work has commenced on the installation of services except as provided for in sub-section (f) below.



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- (f) That in the event the Owners wish to proceed prior to the registration of the Final Plans and Subdivision Agreements they should be allowed to do so at their own risk provided they enter into standard agreements with the City of Hamilton for pre-servicing.
  - (g) That the City's share for the services in "The Gardens of Rymal - Phase 3" (\$5,479.45), "The Gardens of Rymal - Phase 4" (\$8,317.73) and "Rymal Square Estates - Phase 3" (\$62,625.60) be approved and that the Finance and Administration Committee recommend the source of funding for these projects.
  - (h) That the Final Plan for "The Gardens of Rymal - Phase 3" not be released for registration until the Final Plan for "The Gardens of Rymal - Phase 2" has been registered.
  - (i) That the Final Plan for "The Gardens of Rymal - Phase 4" not be released for registration until the Final Plan for "The Gardens of Rymal, Phase 3" has been registered.
  - (j) That the Final Plan for "Rymal Square Estates - Phase 3" not be released for registration until the Final Plan for "Rymal Square Estates - Phase 2" has been registered.
36. That a four-way stop control be implemented at the intersection of Maple Avenue and Grosvenor Avenue.
37. (a) That the Chairman or his designate be authorized to attend the Water Environment Federation 65th Annual Conference and Exposition, New Orleans, Louisiana, 1992 September 20 to September 24.
- (b) That costs for attendance be allocated to Aldermen Travel Account No. CH55201 10010 from the 1992 Operating Budget.
38. That leave be granted to introduce the following Bills:
- (a) **A-55** By-law to stop-up, close and sell those portions of Public Walkway between Lots 150 and 151 Plan 62M-89 (North of Larch Street)
  - (b) **A-56** By-law to incorporate Parts 30, 3 and 6, Plan 62R-11096 (respectively) and Part 13, Plan 62R-11922 and Part 15, Plan 62R-11096 into Acadia Drive



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- (c) **A-57** By-law to authorize: 1. The construction of local improvements without petition under Section 12 of the Local Improvement Act of an independent concrete sidewalk on the west side of West 33rd Street at the west end of Elmwood Avenue. 2. The supervision of the construction by the Director of Public Works.
- (d) **A-58** By-law to authorize: 1. The construction of local improvements without petition under Section 12 of the Local Improvement Act of an independent concrete sidewalk at the east end of South Bend Road East (north side) at the north end of Holt Avenue. 2. The supervision of the construction by the Director of Public Works.
- (e) **A-59** By-law to authorize: 1. The construction of local improvements without petition under Section 12 of the Local Improvement Act of an independent concrete curb on the east side of Upper Kenilworth Avenue between Landron Avenue and Limeridge Road. 2. The supervision of the construction by the Senior Director of Roads.
- (f) **A-60** By-law to Amend By-law No. 89-72 to Regulate Traffic.
- (g) **A-61** By-law to Amend By-law No. 89-72 to Regulate Traffic.

**Respectfully Submitted,**

**ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson  
Secretary**

**1992 July 21**





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## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **FOURTEENTH** Report for 1992 and respectfully recommends:

1. That approval be given to the coaches, convenors and parents representing a "AA" Rep Hockey Team to operate a beer garden, in conjunction with the Stelco Slo-Pitch Tournament to be held at Globe Park on Saturday, 1992 August 29 and Sunday, 1992 August 30, subject to the following terms and conditions:
  - (a) That proof of \$2 million comprehensive general liability insurance for property damage and bodily injury naming the City as additional insured, be provided.
  - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a special occasion permit.
  - (c) That the applicant assume responsibility for all labour-related costs as a result of this event.
  - (d) That the concessionaire be contacted to make the necessary arrangements for the provision of food.
2. That the Director of Culture and Recreation be authorized to respond in the positive to the request to participate in Winteractive - International 1993 (formerly Fit Trek) scheduled from 1993 January 23 to February 7.
3. That the Director of Culture and Recreation be authorized to confirm Hamilton as a pilot test site for the Break Free All-Star Program to develop a smoke-free generation by the year 2000. This program is aimed at 8 - 10 year olds and is a joint project of Health and Welfare Canada, Fitness Canada and Provincial Recreation Ministries.



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4. That approval be granted of the action taken to register the Chairperson of the Parks and Recreation Committee or his designate to attend the Canadian Parks and Recreation Conference to be held 1992 August 9 to August 13 in Penticton, British Columbia.
5. That commencing 1992 December 1, season passes to Chedoke and King's Forest Golf Courses may be purchased by instalments subject to the following conditions:
  - (a) That instalments be paid by post-dated cheques.
  - (b) That the final payment be made by April 1 of the current golf season.
6.
  - (a) That the City of Hamilton advise the International Institute for Peace that it wishes to participate in the Peace Parks Across Canada project which is part of the commemorative activities of Canada's 125th Anniversary of Confederation; and
  - (b) That the City's participation be the designation of a Peace Grove comprised of 12 trees which will circle the proposed Peace Plaza in the concept plan of T. B. McQuesten Park.
7. That the following artifact be deaccessioned and offered as partial compensation for acquisition of another artifact: M1985.300.1 1860 Spencer Carbine.
8.
  - (a) That the Director of Culture and Recreation and the Director of Property be authorized to proceed with a design-built, 1,200 square foot addition to the Mountain Skating Centre to serve as multi-purpose space at a cost not to exceed \$100,000. contingent upon a financial contribution from the Hamilton Skating Club.
  - (b) That funding be provided from Account No. CF709041011.
9.
  - (a) That the Director of Property be authorized to retain the services of a consultant (s) to carry out a feasibility study required for the development of the Lake Avenue Seniors' Drop-In Centre/Riverdale East Recreation Centre.
  - (b) That funding to a maximum of \$60,000. be provided from Account No. CF708941003 5450 - Consultant Fees.

10. (a) That full membership status be authorized in the Ontario Minor Hockey Association for the following Recreational House Leagues of the Hamilton Minor Hockey Council:
- Coronation
  - Eastwood
  - Lawfield
  - Mountain
- (b) That the Department of Culture and Recreation be authorized to hold an open-public information meeting for parents, coaches and league officials on Thursday, 1992 August 6 at 7:30 p.m. or other date and time which is not in conflict with "Neighbourhood Watch - The Night Out" at Sir Winston Churchill Auditorium to convey a final full understanding on Ontario Minor Hockey Association membership and non-member status for the Recreational House Leagues which have not requested to join the Ontario Minor Hockey Association:
- Parkdale
  - Rosedale
  - Scott Park
- (c) That following this meeting, Parkdale, Rosedale and Scott Park House Leagues be requested to review their position with parents and coaches on Ontario Minor Hockey Association membership status and present their decision in writing by 1992 August 17 to the Department of Culture and Recreation.
- (d) That these House Leagues which should be reconsidering Ontario Minor Hockey Association membership be provided the \$3. per player subsidy differential for insurance which would not be provided in their current program budget.

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11. (a) That the authority to organize the hosting of the 1994 International Children's Games in Hamilton and to co-ordinate the Provincial and Canadian broader participation in the Games be delegated to the Hamilton Children's International Games Committee (Chairperson Colin Millar) subject to the Bi-Annual Progress report to be provided to the Parks and Recreation Committee through the Department of Culture and Recreation.
- (b) That the authority to organize the athletic representation in the Children's International Games be subject to:
  - i. Process and selection from the appropriate sport governing bodies of the competitive venues related to the Department of Culture and Recreation.
  - ii. That it be understood that selection be based on athletic standards and a personal interview which weighs all criteria of the sport and the representational responsibilities.
- (c) That representation in the 1993 Games be determined by 1993 March 1 with the intention:
  - i. To field complete athletic teams.
  - ii. To provide appropriate official representation in the year immediately prior to the Hamilton hosting.

The support of the Provincial Ministry and the Federal Departments will be necessary for the next three years.

12. That the Director of Culture and Recreation be authorized to:
  - (a) Bid for the 1995 Ontario Winter Games.
  - (b) Bid for the 1994 Canadian Masters Games.
  - (c) Reconfirm the hosting of the 1994 Canadian Junior Golf Championships.



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13. (a) That the Department of Culture and Recreation participate in the Feasibility and Needs Study for the East Hamilton Kiwanis Boys and Girls Club being conducted by Leisure Plan International Inc.
- (b) That funding to a maximum of \$5,000. be provided from Account No. CH53105 70040.
14. (a) That an "Agreement by Owner to Accept Compensation" for the property expropriated on 1973 December 31 from the Estate of Anna Simon or the Assignee more particularly known as Part 2 and an Easement over Part 7, Plan P-795A Surveys (Limeridge Road East), executed on 1992 May 11 and scheduled for closing on or before 1992 August 27, be approved and completed. The total compensation of \$158,818. is exclusive of legal, appraisal, engineering and planning consultant costs which have been incurred by the Owner and is exclusive of interest on the unpaid balance of compensation which must be paid at a rate of 6% calculated from 1973 December 31 until the closing date in accordance with provisions of the Expropriations Act.
- (b) That an "Agreement by Owner to Accept Compensation" for the property expropriated on 1973 March 1 from Harold V. Bordanaro or the Estate of Harold V. Bordanaro or the Assignee of either John Petis, John Craig and Frank Silvestri more particularly known as Part 1, Plan P-795 Surveys (Limeridge Road East), executed on 1992 May 11 and scheduled for closing on or before 1992 August 27 be approved and completed. The total compensation for the 10.2959 acres of land of \$441,243. is exclusive of legal, appraisal, engineering and planning consultant costs which have been incurred by the Owner as a result of this expropriation and is exclusive of interest on the unpaid balance of compensation which must be paid by the City at a rate of 6% calculated from 1973 March 1 until the closing date in accordance with provisions of the Expropriations Act.
- (c) That the Regional Municipality of Hamilton-Wentworth be requested to cost share in this settlement by paying the purchase price, interest and costs associated with lands acquired for Regional purposes.



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- (d) That the compensation, interest and costs be charged to Account Centre CH00201 (Reserve for 5% Land Dedication); and, that reimbursement from the Regional cost sharing be returned to this same Account Centre CH00201 (Reserve for 5% Land Dedication).
  - (e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
15. (a) That staff be authorized to design and construct Phase II, Jimmy Thompson Pool Alterations, to meet the barrier free design standards for Recreation Buildings at an estimated cost of \$26,000. which includes male and female washrooms, an elevating device, viewing area to accommodate wheelchairs, appropriate signage, parking spots and other alterations.
- (b) That the cost of undertaking these alterations be charged to Account No. CF5255 708641003.
16. That leave be granted to introduce the following Bill:
- B-3** By-law to Amend Cemeteries By-law No. 8861 Respecting Revised  
Tariff of Charges

**Respectfully Submitted,**

**ALDERMAN T. JACKSON, CHAIRPERSON  
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson  
Secretary**

**1992 July 21**





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## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRTEENTH** Report for 1992 and respectfully recommends:

1. (a) That Section 9 of By-Law 92-094 respecting the Chief Building Official and Inspectors appointed under the Building Code Act be amended by adding the following name:
  - (i) Michael Reilly
- (b) That the City Solicitor be authorized and directed to prepare an amending by-law for presentation to City Council.
2. That the Region be requested to grant a two-year extension to the draft approval for "Ridgeview Estates" subdivision (File No. 25T-76046)
3. A. That approval be given to Site Plan Control Application DA-92-10 by Hamilton Store Fixtures Ltd., lessee of lands at 131-133 Market Street to establish a parking area subject to the following:
  - (a) modification to the plan in relation to notes, dimensions, exit driveway and landscape area as marked in red on the plans;
  - (b) submission of a revised landscape plan to the satisfaction of the Director of Local Planning; and,
  - (c) that the plans be incorporated in a Site Plan Control Agreement to be registered on Title of the land as required by the condition of approval of Zoning Application ZA-91-55.
- B. That Item 10 of the Second Report for 1991 of the Planning and Development Committee approved by City Council on 1992 January 28, respecting Zoning Application ZA-91-55 by Hamilton Store Fixtures Ltd., lessee for property at 131-133 Market Street be amended as follows:



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- (a) Delete Item 10.A(a)(iv) and replacing it with the following:

"(iv) that a minimum 1.5 m wide planting strip shall be provided along a portion of the westerly property line for a distance of 18.0 m from the front property line."

- (b) Amend Item 10.A(a)(vi) by deleting the word "westerly" and adding the following statement to the end of the sentence:

"and 20 m along the westerly property line, together with a chain link fence on the remainder of the westerly property line."

- (c) Delete Item 10.A(a)(iii) and renumber the remaining sections accordingly.

4. That appropriate staff - Building, Law, Planning and Traffic Departments be authorized to represent the City, as required, at Ontario Municipal Board Hearings where an appeal is filed against a decision of the Committee of Adjustment to deny an application for residential conversion and where staff did not support the application.

5. That approval be given to City Initiative 92-B, to amend Zoning By-law No. 6593, as amended by by-law No. 81-20, to provide for a revised definition of "Home Occupation", on the following basis:

- (a) That subsection 2.(2)H.(iii) of Zoning By-law No. 6593, as amended by By-law No. 81-20, be further amended by:

- (i) deleting the preamble "but does not include an incidental and secondary use that consists of," and deleting clauses (h), (i), (j) and (k):

- (ii) inserting new clauses (h) and (i) as follows:

"(h) shall include an incidental and secondary use, limited to not more than:

1. one hairdresser or one barber;
2. one comb-out centre; and,
3. one hair styling sink;

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shall not include an incidental and secondary use that consists of:

1. motor vehicle repairs, auto body repairing and painting of motor vehicles; and,
2. keeping of scrap and salvage material."

(iii) That subsection 3.(3) of Zoning By-law No. 6593 be amended by deleting clause (i) and replacing it with new clauses (ia), (ib) and (ic), as follows:

"(ia) A home occupation, except that hairdressing or barbering home occupations shall not be permitted within a "B" (Suburban Agriculture and Residential, etc.), "B-1" (Suburban Agriculture and Residential, etc.) or "B-2" (Suburban Residential) District;

(ib) Private home day care;

(ic) The keeping of small animals or fowl not primarily for gain;"

(b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,

(c) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

6. That approval be given to amended Zoning Application 91-76, 200 Rymal Road Inc. (John A. Parente), owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block "1"); and from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District (Block "2"), to permit a single-family dwelling on Block "1" and townhouses and/or multiple dwellings (stacked townhouses) on Block "2", for lands on the south side of Rymal Road East and west of the proposed extension of Upper Wellington Street, as shown on the attached map marked as Appendix "A", on the following basis:

(a) That Block "1" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;

(b) That Block "2" be rezoned from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District;

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- (c) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593, applicable to lands shown as Block "2", be modified to include the following variances as special requirements:
  - (i) That notwithstanding Sections 10C and 10E of Zoning By-law No. 6593, no building or structure except a fence, shall be set back less than 21.0 m from the westerly lot line of Block "2", except for the land adjacent to the easterly lot line of Block "1" which shall be set back not less than 6.0 m ;
  - (ii) That a minimum 21.0 m wide landscaped area shall be provided and maintained along the westerly lot line of Block "2", except for the land adjacent to the easterly lot line of Block "1" which shall have a minimum width of 6.0 m;
  - (iii) That Section 10E(2)(a)3. of Zoning By-law No. 6593 shall not apply to the land fronting onto Rymal Road East or Upper Wellington Street, located in Block "2";
  - (iv) That a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the entire westerly lot line of Block "2";
- (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1278, and that the subject lands on Zoning District Maps E-9D and E-9E be notated S-1278;
- (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-9D and E-9E for presentation to City Council;
- (f) That the proposed changes in Zoning are in conformity with the Official Plan for the Hamilton Planning Area;
- (g) That the Allison Neighbourhood Plan be amended by redesignating Block "2" from "Attached Housing" to "Low Density Apartments".

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7. That Zoning Application 92-24, Stanley Hinz, owner, requesting a rezoning from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District to permit the creation of a single-family dwelling lot, for the property located at 62 Kennedy Avenue, as shown on the attached map marked as Appendix "B", be denied for the following reasons:
  - (a) it is contrary to the Council adopted policy for this portion of the Kennedy East Neighbourhood of allowing for the creation of additional lots fronting onto Christie Street only;
  - (b) it is incompatible with the character of the existing development in this portion of the Neighbourhood;
  - (c) it is an indiscriminate mix of lots sizes which is undesirable; and,
  - (d) approval of the application would encourage other similar applications, which if approved, would undermine the character of the Neighbourhood.
8. (a) That approval be given to Zoning Application 91-83, Brusan Development Corporation., owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block "2") and "A" (Conservation, Open Space, Park and Recreation) District (Block "1"), to permit single-family detached dwellings and a park, for the property located south-west of Upper Paradise Road and Rymal Road West, shown as Block "1" and "2" on the attached map marked as Appendix "C", on the following basis:
  - (i) That Block "1" be rezoned from "AA" (Agricultural) District to "A" (Conservation , Open Space, Park and Recreation) District;
  - (ii) That Block "2" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
  - (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37 and W-27E for presentation to City Council;
  - (iv) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.



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(b) Subdivision Application:

A. That approval be given to application 25T-92002, Brusan Developments, owner, to establish a draft plan of subdivision in the area south of Rymal Road West and east of the City limits, subject to the following conditions:

- (a) That approval apply to the plan prepared by Planning Initiatives Ltd., dated 90/07/10 showing 231 lots and various blocks revised in red as follows:
  - (i) to terminate Street A at Street G with a corner rounding and required relotting;
  - (ii) to provide a 12m sewer easement from Street A to the east limit of the subdivision lands;
  - (iii) to provide storm sewer and watermain easements as required by the Regional Roads Department;
  - (iv) to delete certain reserve blocks and to number the remaining lettered blocks;
  - (v) to provide 2m x 2m daylighting triangles at the corner of Lots 79 and 196;
  - (vi) to provide 9m radius transitional curves at the beginning and end of all street bulbs;
  - (vii) to provide street widening adjacent to Rymal Road West to 18.0m from the centreline;
  - (vii) to provide an angle on Street C of less than 120 degrees and a centreline radius of the roadway of 30m or less.
- (b) That the final plan not be approved until such time as municipal sewers, water and adequate road access are available to service the lands.
- (c) That the streets and walkway be dedicated to the City of Hamilton as public highways and public walkway in the final plan.

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- (d) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - (e) That the final plan conform to the Zoning By-law approved under the Planning Act.
  - (f) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  - (g) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  - (h) That the owner convey Block 232 to the City of Hamilton for park purposes.
  - (i) That Blocks 234 to 242 inclusive be developed only in conjunction with abutting lands.
  - (j) That any dead-ends or open sides of the road allowances created by the final plan be terminated in 0.3m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.
  - (k) That the owner shall erect a sign in accordance with Section XI of the subsequent subdivision agreement, prior to the issuance of a final release by the City of Hamilton.
  - (l) That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton.
- B. That the subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application, (25T-92002) Brusan Development Corporation, owner, proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

9. That Zoning Application 92-11, Rabindranath Ghosh and Urmila Ghosh, owners, requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations, to permit the established four-family dwelling on property located at No. 160 Sherman Avenue South, as shown on the attached map marked as "Appendix "D", be denied for the following reasons:
  - (a) It is contrary to the intent of the Official Plan, in that it represents the introduction of a four-family dwelling into an area predominantly occupied by single-family and two-family dwellings and would contribute to an indiscriminate mix of housing types;
  - (b) It conflicts with the intent of the approved St. Clair Neighbourhood Plan;
  - (c) Approval of the application would be contrary to the intent of By-law 76-229 (St. Clair Neighbourhood Rezoning) which downzoned this area from "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District to "C" (Urban Protected Residential, etc.) District, in effect, eliminating the potential for townhouses and permitting conversions to two-family dwellings only;
  - (d) It is contrary to recently adopted City Council policy on the "Housing Intensification Strategy" respecting Residential Conversions, in that the "C" District would only permit one accessory apartment as-of-right in all existing single-family dwellings, whereas four are proposed. Furthermore, three of the four dwelling units would not meet the minimum 65m<sup>2</sup> (700 sq.ft.) floor area requirement (i.e. 305.5 sq. ft., 454.25 sq. ft. and 512.25 sq. ft.).
  - (e) Approval of the application would encourage other similar applications which, if approved, would alter the character of the area and undermine the intent of the Zoning By-law.
10. That approval be given to Zoning Application ZA-92-21, 870964 Ontario Limited (Domenic DiBernardo), owner, requesting a further modification to the existing "G" (Neighbourhood Shopping Centre) District, to permit restaurants, for property located at 209 Limeridge Road East, as shown on the attached map marked as Appendix "E", on the following basis:
  - (a) That the "G" (Neighbourhood Shopping Centre) District regulations as set out under Section 13 of Zoning by-law No. 6593, as amended by By-law No. 84-34, applicable to the subject lands, be further modified to include the following variance as a special requirement:

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- (i) That Section 2(a)(ii) of By-law No. 84-34 be amended by adding the numeral "(iv)" after "(iii)" in the second line thereof.
  - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-852a, and that the subject lands on Zoning District Map E-9A be notated S-852a;
  - (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-Law No. 6593, as amended by By-Law No. 84-34, and Zoning District Map E-9A for presentation to City Council; and,
  - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
11. A. That draft Hamilton Official Plan Amendment No. 99 be revised by redesignating the subject lands on Schedule "A" - Land Use Concept of the Official Plan from "Industrial" to "Major Institutional" and "Residential", and by removing the subject lands from Special Policy Area 11 on Schedule "B" - Special Policy Areas, and that the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton Wentworth.
- B. That approval be given to a further amended Zoning Application 90-40, Patran Holdings Limited, owner, for changes in zoning from "M-14" (Prestige Industrial) District to "C" (Urban Protected Residential, etc.) District, modified (Block "1") to permit a secondary school (St. Mary's) with an accessory day nursery, and to "RT-20" (Townhouse - Maisonette) District, modified (Block "2") to permit 95 townhouse dwellings, on property located at 45 Rifle Range Road, as shown on the attached map marked as Appendix "F", on the following basis:
- (a) That Block "1" be rezoned from "M-14" (Prestige Industrial) District to "C" (Urban Protected Residential, etc.) District;
  - (b) That Block "2" be rezoned from "M-14" (Prestige Industrial) District to "RT-20" (Townhouse - Maisonette) District;
  - (c) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to Block "1", be modified to include the following variances as special requirements:



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- (i) That notwithstanding Section 9(2) of By-law No. 6593, no building shall exceed two stories, and no structure shall exceed 14.5 m in height;
- (ii) That notwithstanding Section 9(3) of By-law No. 6593, the following yards shall be provided and maintained;
  - 1. a front yard of a depth of not less than 9.0 m on Whitney Avenue;
  - 2. side yards of a width of not less than 9.0 m except that the northerly side yard shall have:
    - 2.1 a width of not less than 111.40 m for the two storey principal building; and,
    - 2.2 a width of not less than 20.0 m for any portable classroom buildings.
- (d) That the "RT-20" (Townhouse - Maisonette) District regulations as contained in Section 10E of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variance as a special requirement:
  - (i) That notwithstanding Section 10E(7)(a)(i) of Zoning By-law No. 6593 a maximum of 95 townhouse dwelling units shall be permitted.
- (e) That the amending By-laws be added to Section 19B of Zoning By-law No. 6593 as Schedules S-1228 and S-1277, and that the subject lands on Zoning District Maps W-46 & W-47 be notated S-1228 and S-1277;
- (f) That the City Solicitor be directed to prepare separate By-laws for Blocks "1" and "2", to amend Zoning By-law No. 6593 and Zoning District Maps W-46 & W-47 for presentation to City Council;
- (g) That the proposed changes in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 99 by the Regional Municipality of Hamilton-Wentworth; and,

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- (h) That the Ainslie Wood Neighbourhood Plan be amended by redesignating Block "1" from "Industrial" to "Civic and Institutional" and Block "2" from "Industrial" to "Attached Housing".
  - C. That By-law No. 79-275, as amended by By-law No. 87-223 be amended by adding Block "1" to Schedule "A".
  - D. That final Site Plan Approvals for Blocks "1" and "2" be withheld until notification is received from the Ministry of Environment that the decommissioning process has been satisfactorily completed.
12. That leave be granted to introduce the following Bills:
- (a) Bill C-73 A By-law to adopt Official Plan Amendment No. 99 respecting lands located at Municipal No. 45 Rifle Range Road within the Ainslie Wood Neighbourhood
  - (b) Bill C-74 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-laws No. 87-118 and 90-071 respecting lands located at Municipal Nos. 1489 to 1495 Upper Gage Avenue
  - (c) Bill C-75 A By-law to amend Zoning By-law No. 6593 respecting the Regulation of Satellite Dishes
  - (d) Bill C-76 A By-law to amend Zoning By-law No. 6593 and to repeal Zoning By-law No. 85-231 respecting lands located at Municipal Nos. 547 and 549 Wilson Street and Nos. 79 and 81 Sanford Avenue North
  - (e) Bill C-77 A By-law to establish Site Plan Control respecting lands located at Municipal Nos. 547 and 549 Wilson Street and Nos. 79 and 81 Sanford Avenue North
  - (f) Bill C-78 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 257 Mohawk Road West
  - (g) Bill C-79 A By-law to establish Site Plan Control respecting land located at Municipal No. 257 Mohawk Road West
  - (h) Bill C-80 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 45 Rifle Range Road

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- (i) Bill C-81 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 45 Rifle Range Road
- (j) Bill C-82 A By-law to establish Site Plan Control respecting land located at No. 45 Rifle Range Road
- (k) Bill C-83 A By-law to amend By-law No. 92-094 respecting the Chief Building Official and Inspectors appointed under the Building Code Act, R.S.O. 1990, Statutes of Ontario, Chapter B.13

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT COMMITTEE



Tina Agnello  
Secretary  
1992 July 22

Appendix "A" referred to in  
Section 6 of the THIRTEENTH Report  
of the Planning and Development  
Committee for 1992



**Legend**

Proposed change in zoning from "AA" (Agricultural) District to:

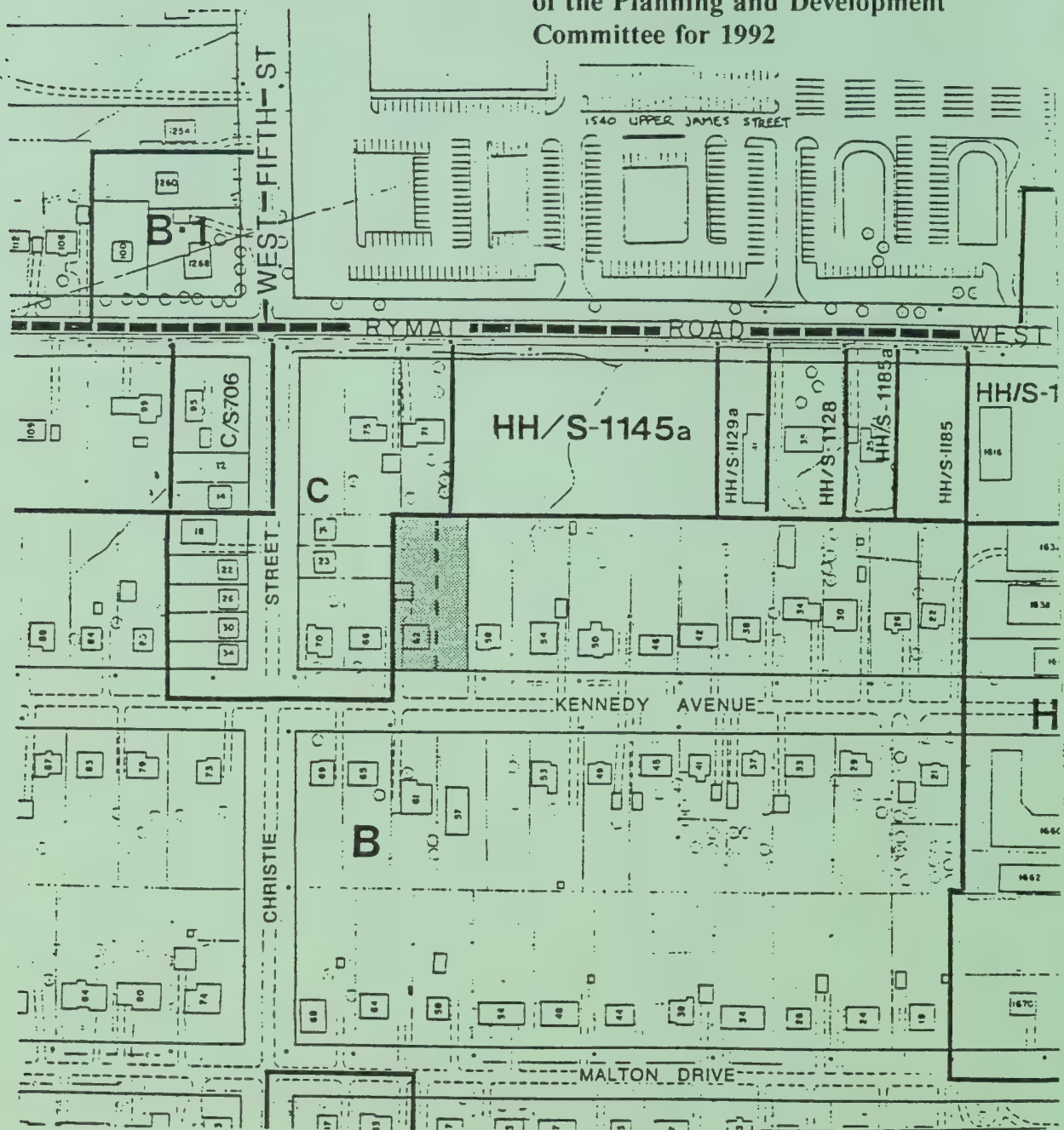
- BLOCK 1  "C" (Urban Protected Residential, etc) District
- BLOCK 2  "DE-3" (Multiple Dwellings) District



ZA-91-76



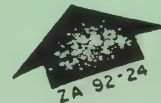
Appendix "B" referred to in  
Section 7 of the THIRTEENTH Report  
of the Planning and Development  
Committee for 1992



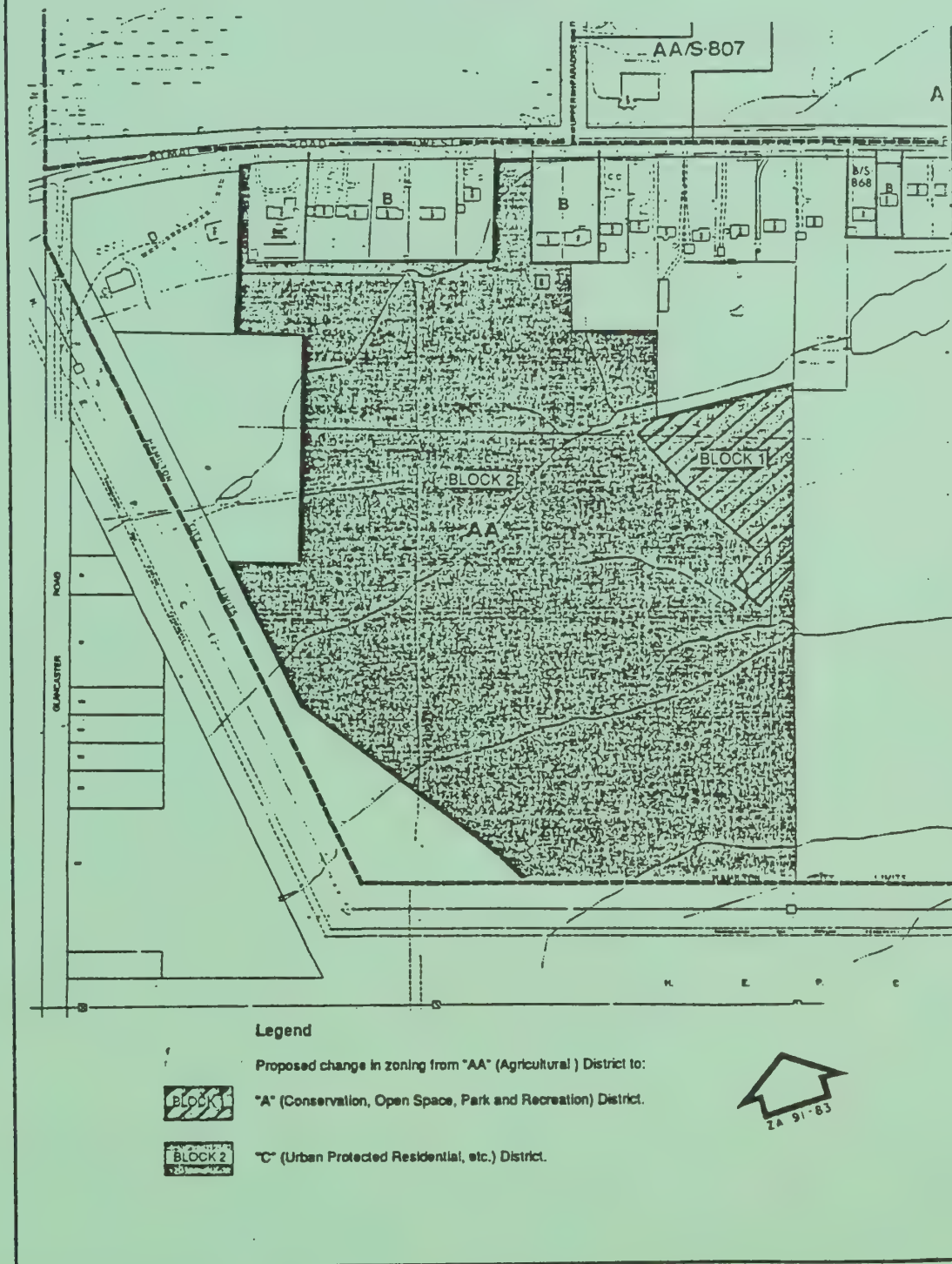
Legend



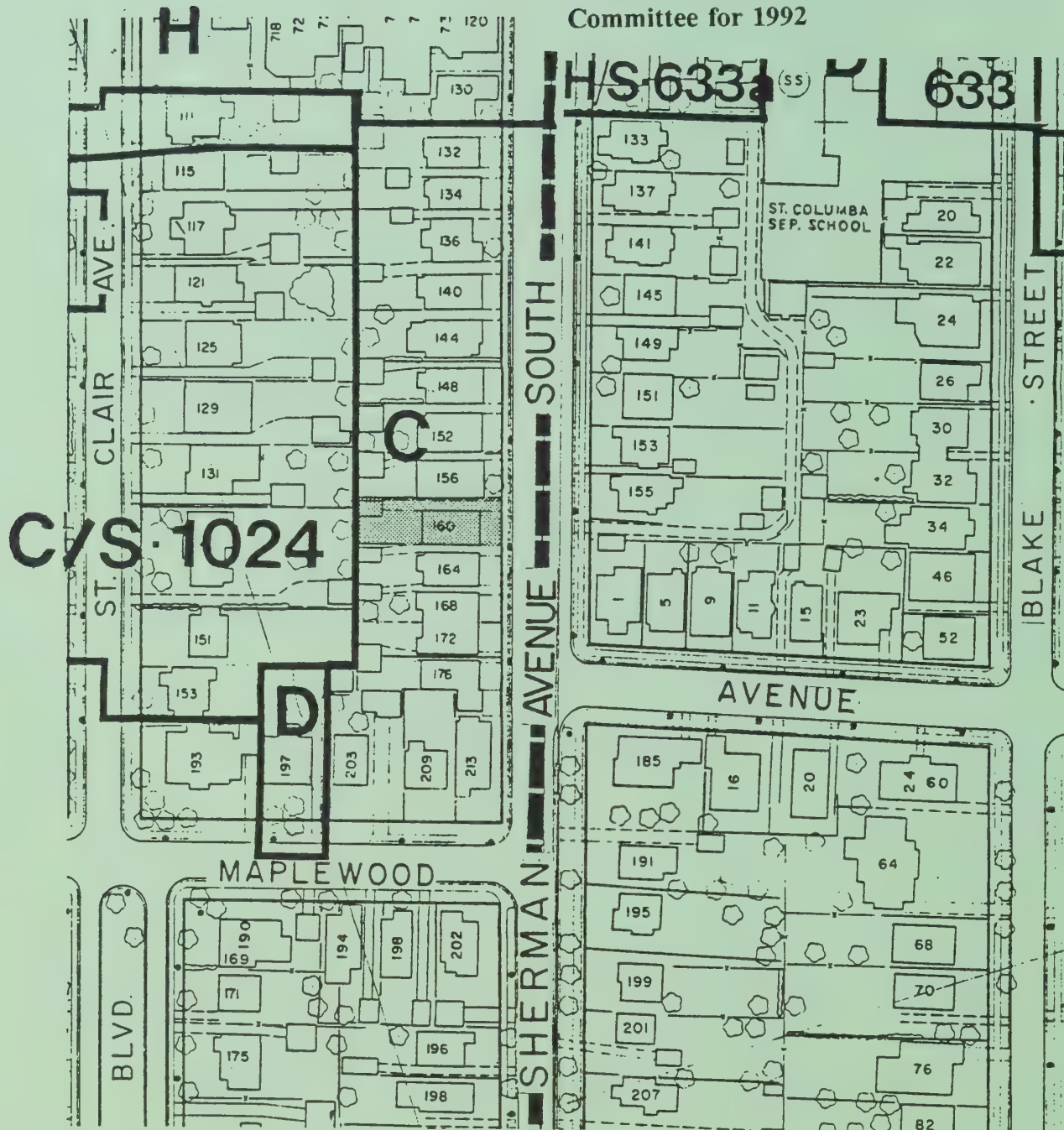
Site of the Application



Appendix "C" referred to in  
Section 8(a) of the THIRTEENTH Report  
of the Planning and Development  
Committee for 1992



Appendix "D" referred to in  
Section 9 of the THIRTEENTH Report  
of the Planning and Development  
Committee for 1992



Legend

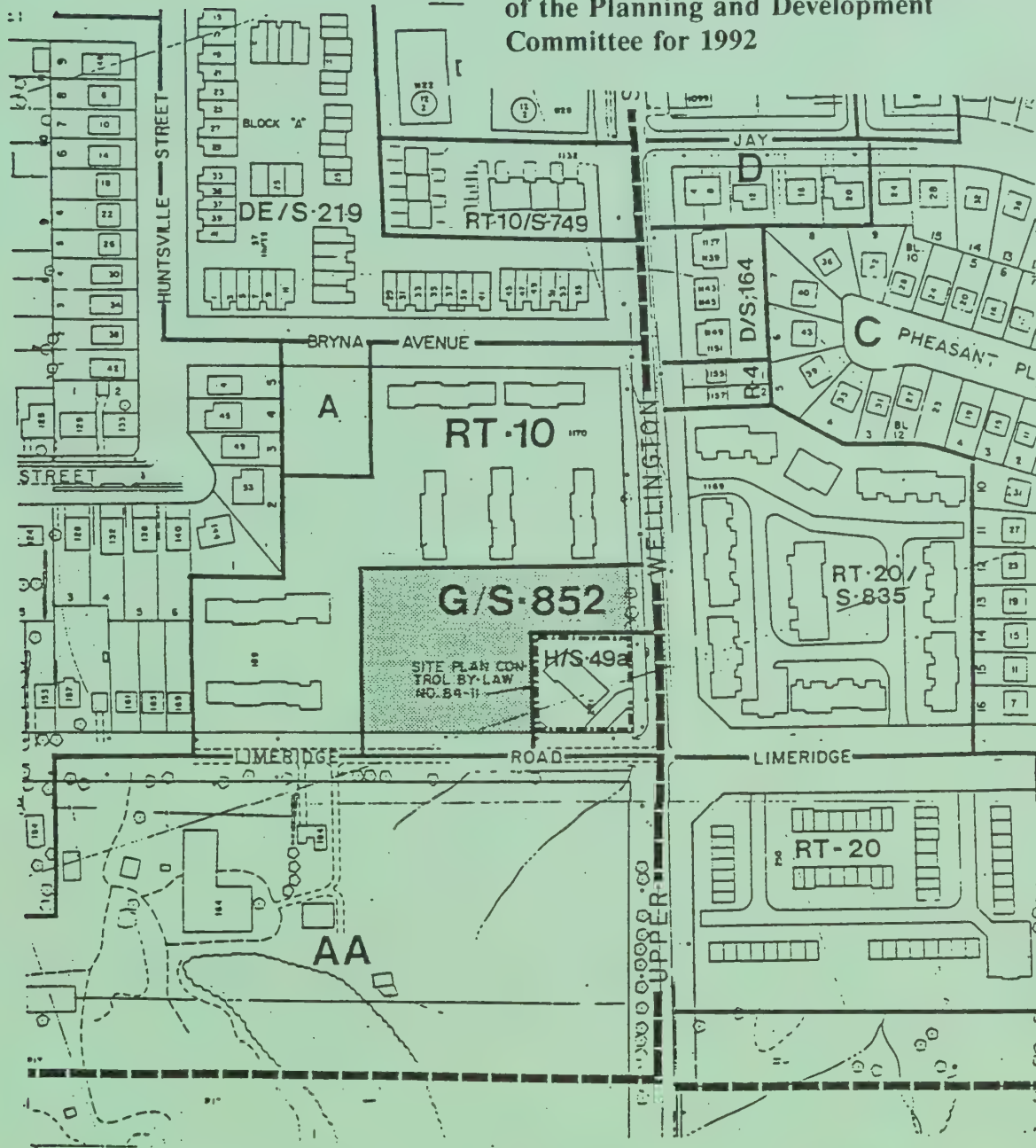


Site of the Application

ZA-92-11



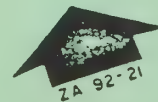
Appendix "E" referred to in  
Section 10 of the THIRTEENTH Report  
of the Planning and Development  
Committee for 1992



Legend

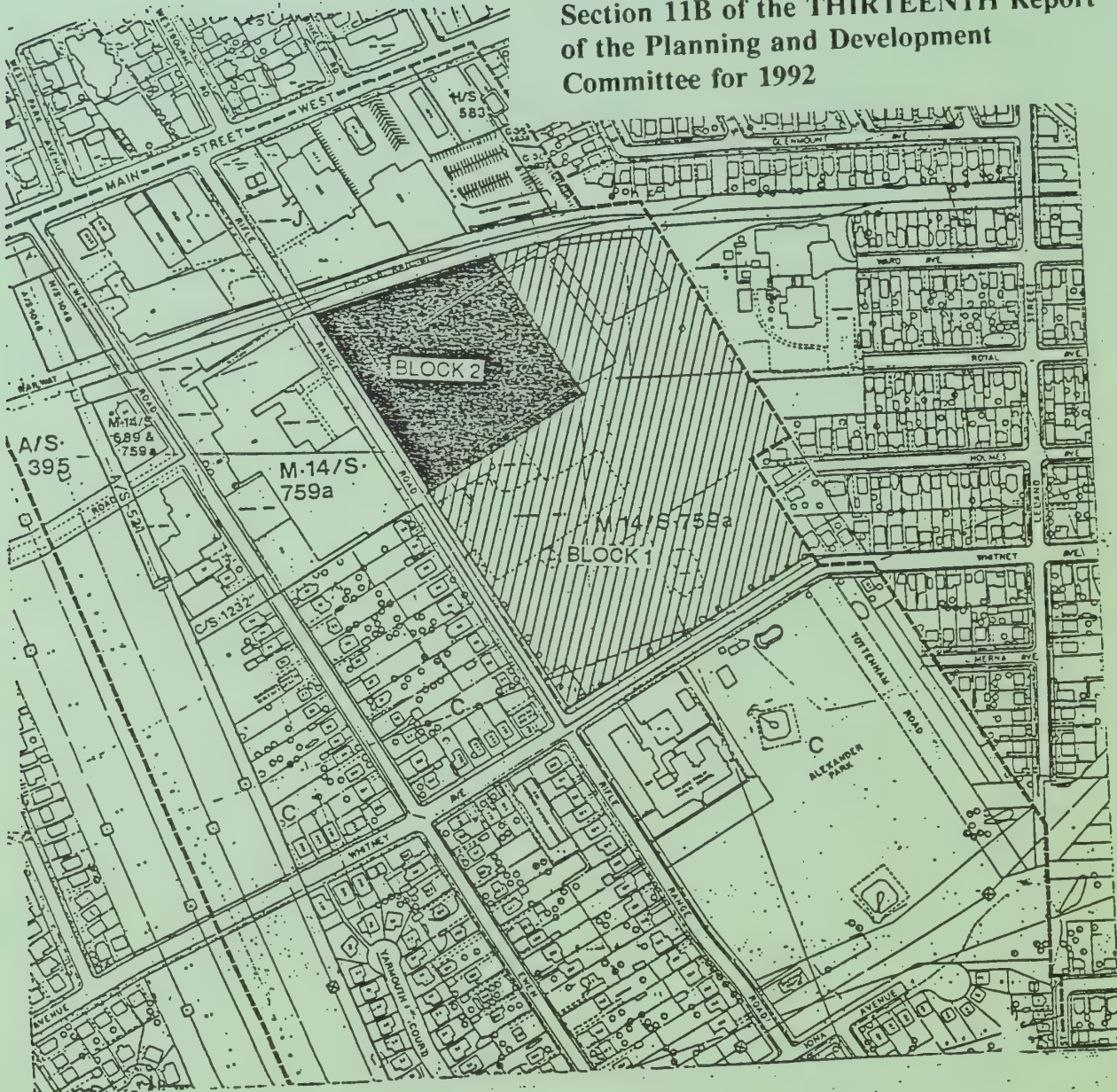


Site of the Application






Appendix "F" referred to in  
Section 11B of the THIRTEENTH Report  
of the Planning and Development  
Committee for 1992



**Legend**

Proposed change in zoning from "M-14" (Prestige Industrial) District, modified to:

- |         |   |  |
|---------|---|--|
| BLOCK 1 |  | "C" (Urban Protected Residential, etc) District, modified, |
| BLOCK 2 |  | "RT-20" (Townhouse-Maisonette) District, modified.         |







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**REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTEENTH** Report for 1992 and respectfully recommends:

1. (a) That the City Solicitor be requested to repeal City of Hamilton By-law No. 88-275, (By-Law of Adoption for Hamilton O.P.A. No. 62);
- (b) That approval be given to Official Plan Amendment No. 113, to incorporate changes to Schedule "A" - Land Use Concept of the Official Plan, and to Special Policy Area 10 on Schedule "B" - Special Policy Areas, to implement the Hamilton Beach Neighbourhood Plan, and that the City Solicitor be directed to prepare a by-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth;
- (c) That the proposed Hamilton Beach Neighbourhood Plan, attached as Appendix 1 (text and maps), be adopted by Council; and,
- (d) That the Province of Ontario be requested to direct back the proceeds from the sale of surplus publicly-owned lands in the Beach Neighbourhood, to help fund open space improvements in the Beach area.
- (e) That the Parks Department of the City of Hamilton be the Manager and Developer of a natural pedestrian walkway in conjunction with the Hamilton Beach Preservation Committee and local residents.
- (f) That the walkway exist primarily on the former beach railway line and that the bicycle path be incorporated into the existing Beach boulevard.

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello  
Secretary  
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## REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **FIFTH** Report for 1992 and respectfully recommends:

1. That the Second Level Lodging Home Licences for 98 Sherman Avenue South and 44 Proctor Boulevard held by Murphycare (Patrick Murphy) be revoked effective upon the satisfactory relocation of the residents.
2. That the Regional Health and Social Services Committee be asked to arrange for the satisfactory relocation of the Second Level Lodging Home residents of 44 Proctor Boulevard and 98 Sherman Avenue South.

On 1991 March 20 and 21 Mr. Patrick Murphy appeared before the City of Hamilton Licensing Committee with regard to infractions of the Second Level Lodging House By-law No. 80-259 relating to fire safety, supervision and physical upkeep of the premises at 98 Sherman Avenue South, Hamilton.

The Licensing Committee was extremely concerned but, in view of the fact that the home was meeting standards at the present time, and because of concerns for the well being of residents and unfair disruption and impact upon their lives if the licence was suspended, agreed that a one year probationary period be imposed upon Second Level Lodging House Licence No. 44 held by Murphycare (Patrick Murphy), 98 Sherman Avenue South. The Committee also requested the relevant City and Regional Departments to report any further breaches of the Second Level Lodging House By-law.

As the result of further By-law infractions at 98 Sherman Avenue, Mr. Murphy attended a Show Cause Hearing on 1991 September 11. At that time the Licensing Committee extended the probationary period on the Second Level Lodging Home



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Licence for a one year period to commence 1991 September 11 and requested continued monitoring by the relevant City and Regional Departments.

On 1992 July 22 Mr. Murphy attended before the Licensing Committee at a Show Cause Hearing with regard to violations of the Ontario Fire Act at Second Level Lodging Homes at 98 Sherman Avenue and 44 Proctor Boulevard.

Witnesses appeared on behalf of the City of Hamilton Fire Prevention Bureau and the Regional Municipality of Hamilton-Wentworth Health Department and gave evidence with regard to fire safety, supervision and nutrition at the two properties.

Mr. Murphy spoke on his own behalf and submitted supporting documentation which was entered as Exhibits "A" to "F" and is in the possession of the secretary.

After consideration the Licensing Committee made the foregoing recommendation based primarily upon the Licencee's non-compliance with the Fire Code and, in addition, on complaints by the Regional Social Services Department with regard to adequate nutrition and supervision of the residents.

3. That the Cartage Vehicle Licence application of Don Slater and Dorothy Auclair be denied on the grounds of Mr. Slater's extensive criminal and bad driving record. (Further information can be obtained from the secretary.)

**RESPECTFULLY SUBMITTED**

**ALDERMAN T. COOKE  
CHAIRPERSON  
CITY OF HAMILTON LICENSING  
COMMITTEE**

Stella Glover  
Secretary

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## REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTEENTH** Report for 1992 and respectfully recommends:

1. (a) That the monthly mortgage payments due the City from Theatre Terra Nova/Theatre Focus (Hamilton) Inc. be reduced temporarily for a period of commencing 1991 November 1 to 1992 June 1 (inclusive) and a further 6 months to 1992 December 1 from the present amount of \$1,339. to a new amount of \$100. per month on the following conditions:
  - (i) that the borrower enters into a Mortgage Amending Agreement with the City;
  - (ii) that the Mortgage Amending Agreement permit the borrower to have the reduced monthly payment as indicated above;
  - (iii) that the Mortgage Amending Agreement is prepared by the borrower's solicitor in a form satisfactory to the Law Department;
  - (iv) that the borrower's solicitor certify to the City that the Mortgage Amending Agreement has been duly authorized, executed and registered by the borrower and is enforceable according to its terms.
- (b) That the amount of \$625.51 received on 1991 November 1 be used to pay for the monthly payments of \$100., if approved, for 1991 November 1 to 1992 February 1 and any outstanding interest due to delayed payment and the balance of the funds be used towards the outstanding property taxes.
- (c) That the City Treasurer be directed to report back to the Finance and Administration Committee should Theatre Terra Nova/Theatre Focus (Hamilton) Inc. not resume regular monthly mortgage payments of \$1,339. per month as of 1993 January 1, as outlined in the original mortgage dated 1990 August 30.

Note: For the information of City Council, staff have been directed to investigate alternative uses for this building which can be considered in the event that Theatre Terra Nova is unable to assume regular monthly mortgage payments.



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2. (a) That a purchase order be issued to King Equipment Manufacturing, Woodstock, in the amount of \$103,483., including all taxes and trade-in, being the lowest of six tenders received for the replacement of One (1) Chassis Mounted Aerial Device with Chipper Body, Unit #9627, Fleet Services, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and that this expenditure be financed through Reserve for Replacement of Mobile Equipment Account No. CH 5X503 00101.
- (b) That there is a five month delivery time, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".
3. (a) That a purchase order be issued to Superior Boiler Works & Welding Ltd., Hamilton, in the amount of \$55,013.50 including all taxes to renovate the pool ventilation system at Westmount Recreation Centre being the lowest of four quotations received, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation and that this expenditure be financed through Operating Supplies Account No. CF 57255 319241002.
- (b) As this work must be done by mid-September and there is a 6-week delivery time, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".
4. That a ruby insert for a previously awarded civic gold ring be awarded to Karl Seifried, Head Coach of the Ontario Senior Men's Handball Team for winning the Canadian National Handball Championships held in Regina, Saskatchewan on 1992 May 15 - 17.

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5. (a) That civic silver pins be awarded to the following members of the Hamilton Hoppers Skipping Team for winning the 1992 Ontario Provincial Championship held in Hamilton in 1992 April:

Devin Misener	Shannon Crawford
Jennifer Feruglio	Melissa Eason
Michelle Wright	Sherri McCullough
Shelly Rolph	Tracy Bellemare
Jaclyn Duchesne	Stephanie Smith

- (b) That civic silver rings be awarded to the following members of the Hamilton Hoppers Skipping Team for winning the 1992 Canadian Championship held in Montreal in 1992 May:

Jaclyn Duchesne	Stephanie Smith
Shannon Crawford	

6. That the Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1992 July 15, attached herewith and marked Appendix "A", be approved.
7. That the contract settlement of The Electrical Trade Bargaining Agency of the Electrical Contractors Association of Ontario and The International Brotherhood of Electrical Workers and the I.B.E.W. Construction Council of Ontario representing the following affiliated Local Union 105, Hamilton, attached herewith and marked Appendix "B", be received pursuant to the Fair Wage Policy of the City of Hamilton.
8. That approval be given to the Canusa Games Board of Directors to use the City Hall forecourt on Thursday, 1992 August 6 from 11:00 a.m. to 1:00 p.m. for the purpose of sending off the torch runners who will carry the torch from Hamilton, Ontario to Flint, Michigan in conjunction with the 35th Annual Canusa Games to be held in Flint, Michigan from 1992 August 7-9.
9. That an Option to Purchase, executed by Union Gas Limited (D.J. Moore, Vice-President and R.S. Valdis, Assistant Secretary) on 1992 June 29, and scheduled for closing on or before 1992 November 9, for the purchase of a parcel of land located east of Kinrade Avenue between Barton Street and Cannon Street, measuring 11 feet (3.35 metres), by 11 feet (3.35 metres), be approved and completed, and the purchase price of \$1. be charged to Account No. CH 4X501 00102 (Sale of Land - Property Purchases). Subject parcel is surplus to Union Gas requirements and is located in the Municipal Parking Lot at this location.

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10. (a) That a purchase order be issued to Digital Equipment Corporation in the amount of \$2,785. per month (plus Taxes) for the on-going maintenance of Digital Equipment Fileservers and Software.
- (b) That annual increases in maintenance costs in 1993 and 1994 be permitted provided that they do not exceed the Consumer Price Index or inflation. Funds provided from Account No. CH 57138 26032 (Hardware Maintenance).
11. (a) That Microcomputer workstations and printers be acquired in accordance with the following:

<u>Description</u>	<u>Supplier</u>	<u>Price</u>	<u>Comment</u>
Panasonic 386-SX25 Microcomputers	4 Office Automation Burlington	\$ 1,539.	lowest acceptable of 27 proposals
Hewlett Packard IIP printers	Tristar Hamilton	\$ 1,163.	lowest acceptable of 12 proposals

- (b) That funding be provided from Account No. CH 56605 26032 (Workstation Leasing).
12. (a) That a purchase order be issued to Kimberly Clark Computer Services, (KCCS) sole supplier, in the amount of \$75,000. U.S. for the acquisition of CSP/ADE (Cross System Product/ADE) Software. Funds provided from Account No. CH 56005 25415 (Computer Software - Tax Project).
- (b) That the software licensing agreement be in a form satisfactory to the City Solicitor.
- (c) That a purchase order with an upset limit of \$25,000. U.S. be issued to KCCS for the staff training required to use the CSP/ADE software. Funds provided from Account No. CH 55204 26018 (Training-Contractual).



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13.
  - (a) That Scott Computer Leasing of Mississauga provide leasing services for microcomputer workstations and printers at the rate of \$28.90 /\$1,000./month for 36 months (the lowest of six proposals received).
  - (b) That the term of the lease agreement with Scott be to 1994 November 30, with an option in favour of the City to extend for the balance of the lease term.
  - (c) That decisions to lease or purchase be made in each case, in consultation with the Treasurer.
  - (d) That the master lease agreements be in a form satisfactory to the City Solicitor (the City of Hamilton is the lessee).
  - (e) That funding be provided from Account No. CH 56605 26032 (Workstation Leasing).
14. That as referred to in Section 34(b) of the Eighth Report of the Transport and Environment Committee for 1992, the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct the following projects:
  - (a) Limeridge Road north side from approximately 400 m east of Upper Wellington Street to approximately 127 m easterly - independent concrete sidewalk at an estimated gross cost of \$21,000. with a City's share of \$10,860.80 to be financed from 1992 Capital Levy and the balance of \$10,139.20, being the Owner's share, to be financed by the issuance of debenture for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$10,139.20 for a term not to exceed 20 years for the above project.
  - (b) Limeridge Road south side from Upper Wellington Street to approximately 263 m easterly and from approximately 376 m east of Upper Wellington Street to approximately 69 m easterly - independent concrete sidewalk at an estimated gross cost of \$50,000., with a City's share of \$23,440. to be financed from 1992 Capital Levy and the balance of \$26,560., being the Owner's share, to be financed by the issuance of debenture for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$20,560. for a term not to exceed 20 years for the above project.



15. That as referred to in Section 35(g) of the Eighth Report of the Transport and Environment Committee for 1992, the City's share of services for the following subdivisions in the total amount of \$76,422.78 be financed from the Reserve for City's Share of Service through Unsubdivided Lands up to the amounts available and the remaining balance from the Reserve for Capital Projects:
  - (a) "The Gardens of Rymal - Phase 3" - City's share \$5,479.45
  - (b) "The Gardens of Rymal - Phase 4" - City's share \$8,317.73
  - (c) "Rymal Square Estates - Phase 3" - City's share \$62,625.60
16.
  - (a) That approval be given to issue a purchase order for \$24,157., to cover the costs of extra work performed by Power Vac. in connection with the removal of asbestos from the City Hall cafeteria.
  - (b) That the cost of undertaking this work be charged to Account No. CF 5255 319041007 (Asbestos Abatement Programme).
17. That up to four (4) members of City Council be authorized to attend the 1992 South-Central Ontario Municipal Conference: A Training and Developmental Opportunity being hosted by the Ministry of Municipal Affairs at the Royal Connaught Hotel in Hamilton on 1992 October 28 and 29.
18.
  - (a) That effective 1992 January 1, the annual licence fee for Flea Market Owners be reduced to \$400.;
  - (b) That all Hamilton Flea Market Owners be required to ensure that all individual stallholders are licenced pursuant to Hamilton Licence By-law No. 79-323.
  - (c) That the City Solicitor be authorized to prepare a draft by-law to amend City of Hamilton Licence By-law No. 79-323 to reflect these changes.
19.
  - (a) That the licence fee for each location be \$500. for 3 months for Transient Traders;
  - (b) That the City Solicitor be authorized to prepare a draft by-law to amend City of Hamilton Licence By-law No. 79-323 to reflect this change.

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20. That the following resolution from the City of Stoney Creek respecting the playing of the National Anthem "O Canada" at the beginning of each Council meeting be received:

**WHEREAS** Stoney Creek is the home of Canada Flag Day, and

**WHEREAS** Stoney Creek is a proud and patriotic city, and

**WHEREAS** "O Canada" is our National Anthem, and

**WHEREAS** it is important to set a positive example in our community;

**NOW THEREFORE BE IT RESOLVED:** that the National Anthem "O Canada" be played at the beginning of each Council meeting in the City of Stoney Creek and further that this recommendation be circulated to all Regional and City Councils, in the Province of Ontario, with populations over 50,000, in the hope that they will support this motion, or adopt a similar resolution.

21. That the following resolution from the Town of Ancaster respecting Bell Canada - Regional Long Distance Telephone Charges - Petition for Local Toll Free Calling be received:

**WHEREAS** Bell Canada provides communication services to the citizens of the Regional Municipality of Hamilton-Wentworth, and

**WHEREAS** the Canadian Radio-television and Telecommunications Commission regulates the expansion of services by Bell Canada for Local Toll Free Calling, and

**WHEREAS** the Regional Municipality of Hamilton-Wentworth is a community legally incorporating the local municipalities of Ancaster, Dundas, Flamborough, Glanbrook, Stoney Creek and Hamilton for the purposes of government, and

**WHEREAS** the local municipalities have a duty to ensure that their citizens are provided the most beneficial and economical services available, and

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**WHEREAS** Bell Canada, through the CRTC, provides communications to the citizens of the local municipalities, and

**WHEREAS** the citizens of the Region of Hamilton-Wentworth have a need to intercommunicate, and will receive a real benefit by being able to do so between each municipality without the need for Long Distance Charges.

**THEREFORE, BE IT RESOLVED:**

1. That the Council of the Corporation of the Town of Ancaster petition the CRTC to grant Bell Canada permission to establish Local Toll Free Calling between all the Municipalities and citizens in the Hamilton-Wentworth Region as soon as possible, and Bell Canada be advised of our action in this regard.
  2. That a copy of this resolution be forwarded to the Council of the Regional Municipality of Hamilton-Wentworth and the Councils of the Area Municipalities within the Region, requesting their endorsement.
22. (a) That Council support the following resolution of the Regional Municipality of Niagara which requests the Canadian Radio-Television and Telecommunications Commission (CRTC) to defer approval of a Bell Canada rate increase for local channel circuits until further information has been provided and provision is made for municipalities to appeal the proposed increases:
- (i) That the Canadian Radio-Television & Telecommunications Commission (C.R.T.C.), be requested to defer any decision on proposals submitted by Bell Canada for increases in local channel rates until Bell Canada provides full information to municipalities and government agencies serviced by Bell Canada, and these customers are provided an opportunity to appeal the proposed increases;
  - (ii) That the resolution of Council be circulated to the 12 local area municipalities in Niagara, the Association of Municipalities of Ontario, and all municipalities throughout the Province with a population in excess of 50,000, with a request that they support the resolution and convey their support to the C.R.T.C.



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(b) That Council's resolution be forwarded to AMO (The Association of Municipalities of Ontario) for their information.

23. That the following resolution from the Town of Capreol respecting the present Criminal Justice System in Canada be received:

**WHEREAS** a number of innocent citizens in this country lose their lives every year at the hands of violent criminals while out on bail;

**AND WHEREAS** the present criminal justice system in Canada does not provide for sufficient safeguards and restrictions on the conditional release of criminals on bail;

**BE IT THEREFORE** resolved that the Municipal Council of the Town of Capreol hereby petitions the Parliament of Canada to recognize that crimes of violence against a person are serious and abhorrent to society and to amend the Criminal Code of Canada, the Bail Reform Act and the Parole Act accordingly to ensure that no criminals are released without bail hearings presided over by judges and in such a manner and under such conditions to ensure the public's safety.

**FURTHERMORE** that this resolution be submitted to the local Member of Parliament and to all municipalities in Ontario for support.

24. That the salary classification for the following non-union position in the City Clerk's Office be approved in accordance with the recommendation made by the City Core Group.

<u>Position Title</u>	<u>Function</u>	<u>Grade</u>	<u>Salary</u>
Chief Licence Inspector	Supervisor of Licence Inspectors; Co-ordination and direction of enforcement of licence by-laws; Prepare and conduct show cause hearings for the Licence Division.	L	\$43,484.48- \$51,205.44



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25. That the City of Hamilton enter into a co-operative education programme with the Board of Education (Parkview Secondary School) to designate the City of Hamilton as a Training Station and that the Chief Administrative Officer execute the agreement in a form satisfactory to the City Solicitor.
26. That the following salary classification be approved:

<u>Position Title</u>	<u>Function</u>	<u>Grade</u>	<u>Salary</u>
Manager of Administration (formerly Office Manager II)	Manage and co-ordinate the provision of administrative services for the Traffic Department.	K	\$47,412.56- \$55,811.08 per annum

27. (a) That the Law Department be restructured along the lines recommended by the Comprehensive Audit Report to reflect well-defined areas of service delivery, replacing the present extended structure.
- (b) That the new organizational structure include the following staffing adjustments:

<u>Position Title</u>	<u>Increase</u>	<u>Decrease</u>
Legal Assistant		1
Administrative Assistant		1
Stenographer I		1
Paralegal/Prosecutor	2	
Administrative Co-ordinator	1	
Net change in staff complement - Nil		

1992 July 28

- (c) That the two new positions be classified in the following manner as recommended by the Core Group:

<u>Title</u>	<u>Purpose</u>	<u>Salary Schedule</u>
Paralegal/Prosecutor	To conduct title searches, handle first appearances, guilty pleas and trials in Provincial Offenses Court.	"N" \$37,794. - \$44,568.
<u>Title</u>	<u>Purpose</u>	<u>Salary Schedule</u>
Administrative Co-ordinator	Manage and co-ordinate administrative services in the Law Department, including budget control, staff supervision and training.	"M" \$40,640. - \$47,819.

- (d) That the following title changes, resulting from the reorganization, be approved:

<u>From</u>	<u>To</u>
Manager of Legal Services	Senior Solicitor
Manager of Property Law	Senior Solicitor

28. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 20758/90 by the payment to the Plaintiffs, Rose Rizzo and Armando Rizzo, of the sum of \$25,000. inclusive of all damages, interest and costs.
- (b) That the Plaintiffs be required a Full and Final Release in a form satisfactory to the Law Department.
- (c) That Ontario Court (General Division) Action No. 20758/90 and any and all cross-claims shall be dismissed without costs.

**1992 July 28**

29. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 28871/91 by the payment to the Plaintiff, Janet Blair, of the sum of \$7,350. inclusive of all damages, interest and costs.
- (b) That the Plaintiff be required to sign a Full and Final Release in a form satisfactory to the Law Department.
- (c) That Ontario Court (General Division) Action No. 28871/91 and any and all cross-claims shall be dismissed without costs.
30. That discussions be co-ordinated and undertaken by Mayor Morrow with the respective parties: Dofasco; the City; the Regional Assessment Office; and the Region to determine if there is an opportunity to resolve the matter respecting the Judgement of the Court of Appeal prior to exercising further legal avenues open to all parties and to report back to the Finance and Administration Committee and City Council.
31. That leave be granted to introduce the following Bills:
  - (a) Bill H-49 A By-law to authorize the Replacement of Pool Filtration System - Jimmy Thompson Pool.
  - (b) Bill H-50 A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. ROSS, CHAIRPERSON  
FINANCE AND ADMINISTRATION COMMITTEE**

**Charlene Coutts  
Acting Secretary  
1992 July 23**

Appendix "A" referred  
to in Section 6 of the  
Fifteenth Report of the  
Finance and Administration  
Committee for 1992.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Daryl Couch	Forestry Investigator (D-19)	Public Works	New Position Council Approved January 28, 1992	\$36,071.36	15/06/92
Mr. Bradley Fleming	Forestry Investigator (D-19)	Public Works	New Position Council Approved January 28, 1992	\$36,071.36	15/06/92
Mr. Patrice Lecomte	Forester II (D-18)	Public Works	Replacing Mr. F. Kell - resigned	\$34,717.28	29/06/92
Mr. Scott Plante	Forestry Co-Ordinator (D-20)	Public Works	New Position Council Approved January 28, 1992	\$36,420.80	08/06/92



## THE CORPORATION OF THE CITY OF HAMILTON

## TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Norman Bush	Firefighter I	Fire	Retired	30 years, 2 months	27/06/92
Mr. Robert Ellison	Assistant General Manager	H.E.C.F.I.	Retired	14 years, 8 months	30/06/92
Mr. John Keip	Typist Clerk II	Public Works	Resigned	3 years, 2 months	26/06/92

Appendix "B" referred  
to in Section 7 of the  
Fifteenth Report of the  
Finance and Administration  
Committee for 1992.

The Electrical Trade Bargaining Agency of the Electrical Contractors Association of Ontario  
and The International Brotherhood of Electrical Workers and the I.B.E.W. Construction  
Council of Ontario representing the following affiliated Local Union 105, Hamilton.

Duration of Agreement - Feb. 15, 1992 to May 1, 1994

	Date	Base Rate	VP & SHP	Tax* Union Fund	Non-Tax* Union Fund	Wage Pkg.	Assoc Fund	Total Pkg.
Journeyman	Feb 15/92	\$26.55	2.66	0.20	3.92	33.33	0.18	\$33.71
	May 1/92	\$26.55	2.66	0.20	4.02	33.43	0.18	\$33.91
	May 1/93	\$27.55	2.76	0.20	4.02	34.53	0.18	\$35.01
	May 1/94	\$28.65	2.86	0.20	4.02	35.73	0.18	\$36.21
Foreman	Feb 15/92	\$29.21	2.92	0.20	3.92	36.25	0.18	\$36.63
	May 1/92	\$29.21	2.92	0.20	4.02	36.35	0.18	\$36.83
	May 1/93	\$30.31	3.03	0.20	4.02	37.56	0.18	\$38.04
	May 1/94	\$31.52	3.15	0.20	4.02	38.89	0.18	\$39.37
Apprentices Feb. 15/92								
40 1st Period		\$10.62	1.06	0.20	3.92	15.80	0.18	\$16.18
50 2nd Period		\$13.28	1.33	0.20	3.92	18.73	0.18	\$19.11
60 3rd Period		\$15.93	1.59	0.20	3.92	21.64	0.18	\$22.02
70 4th Period		\$18.59	1.86	0.20	3.92	24.57	0.18	\$24.95
80 5th Period		\$21.24	2.12	0.20	3.92	27.48	0.18	\$27.86
Apprentices May 1/92								
40 1st Period		\$10.62	1.06	0.20	4.02	15.90	0.18	\$16.38
50 2nd Period		\$13.28	1.33	0.20	4.02	18.83	0.18	\$19.31
60 3rd Period		\$15.93	1.59	0.20	4.02	21.74	0.18	\$22.22
70 4th Period		\$18.59	1.86	0.20	4.02	24.67	0.18	\$25.15
80 5th Period		\$21.24	2.12	0.20	4.02	27.58	0.18	\$28.06
Apprentices May 1/93								
40 1st Period		\$11.02	1.10	0.20	4.02	16.34	0.18	\$16.82
50 2nd Period		\$13.78	1.38	0.20	4.02	19.38	0.18	\$19.86
60 3rd Period		\$16.53	1.65	0.20	4.02	22.40	0.18	\$22.88
70 4th Period		\$19.29	1.93	0.20	4.02	25.44	0.18	\$25.92
80 5th Period		\$22.04	2.20	0.20	4.02	28.46	0.18	\$28.94



**BILLS**

**CITY COUNCIL**

**1992 July 28**





THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

TO STOP-UP, CLOSE AND SELL THOSE PORTIONS OF  
PUBLIC WALKWAY BETWEEN LOTS 150 AND 151  
PLAN 62M-89 (NORTH OF LARCH STREET)

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45 to stop-up, close and sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting item 18 of the 1st Report of the Transport and Environment Committee on October 29, 1991 authorized the City to stop-up, close and sell the public walkway, being more particularly described as Parts 1,2,3 and 4 on Plan 62R-8822.

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands.

AND WHEREAS Notice of the City's intention to pass this By-law has been published as required by Section 301 of The Municipal Act for the four consecutive weeks; namely, June 30, July 7, 14 and 21, 1992.

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to, or in support of this By-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The portions of the highway described as,

Part of Parcel Plan -1, Section M-89

Being all of the Public Walkway, Plan M-89, designated as Parts 1,2,3 and 4 on Plan 62R-8822, subject to an easement over Parts 1 and 2 as described in Transfer 20935 L.T.

City of Hamilton  
Regional Municipality of Hamilton-Wentworth  
being part of the Parcel.

are hereby stopped and closed.

2. That the soil and freehold in the closed portions of the said public walkway described as Parts 1,2,3 and 4, Plan 62R-8822, be sold to: Chris K. Rhora and Gwen A. Rhora, or their successors in title, for the sum of \$1.00 in accordance with the provisions of an Offer to Purchase, dated March 24, 1992.

3. This By-law shall come into force and effect on the date of registration in the Land Registry Office for the Registry Division of Wentworth (No. 62)

PASSED this                      day of                      A.D. 1992.

J. J. Schatz  
City Clerk

R. Morrow  
Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

TO INCORPORATE PARTS 30, 3 AND 6, PLAN 62R-11096 (RESPECTIVELY)  
AND PART 13, PLAN 62R-11922 AND PART 15, PLAN 62R-11096  
INTO ACADIA DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Acadia Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Acadia Drive.

Firstly

Part of Lots 3,4 and 5, Registered Plan No. 909, designated as Parts 30, 3 and 6, Plan 62R-11096, respectively, and

Secondly

Parts of Lot 9, Concession 8, (in the former geographic Township of Barton), designated as Part 13, Plan 62R-11922, and Part 15, Plan 62R-11096.

All in the City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1992.

J. J. Schatz  
City Clerk

R. Morrow  
Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of an independent concrete sidewalk on the west side of West 33rd Street at the west end of Elmwood Avenue.
2. The supervision of the construction by the Director of Public Works.

WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works herein described at a total estimated cost of \$2,500.00 to be financed from the 1992 Capital Levy;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 48 of the 7th Report of the Transport & Environment Committee and Item 7 of the 14th Report of the Finance & Administration Committee on June 30, 1992;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described as an independent concrete sidewalk on the west side of West 33rd Street at the west end of Elmwood Avenue may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$2,500.00, which cost shall be financed from the 1992 Capital Levy.
2. The Director of Public Works is hereby authorized to supervise construction of the works.
3. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation, of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this      day of      , A.D. 1992.

City Clerk

Mayor

(1992) 7 R.T.E.C. 48, June 30

(1992) 14 R.F.A.C. 7, June 30



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of an independent concrete sidewalk at the east end of South Bend Road East (north side) at the north end of Holt Avenue.
2. The supervision of the construction by the Director of Public Works.

WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works herein described at a total estimated cost of \$2,860.00 to be financed from the 1992 Capital Levy;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 48 of the 7th Report of the Transport & Environment Committee and Item 7 of the 14th Report of the Finance & Administration Committee on June 30, 1992;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described as an independent concrete sidewalk at the east end of South Bend Road East (north side) at the north end of Holt Avenue may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$2,860.00, which cost shall be financed from the 1992 Capital Levy.
2. The Director of Public Works is hereby authorized to supervise construction of the works.
3. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this      day of      , A.D. 1992.

City Clerk

Mayor

(1992) 7 R.T.E.C. 48, June 30  
(1992) 14 R.F.A.C. 7, June 30

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of an independent concrete curb on the east side of Upper Kenilworth Avenue between Landron Avenue and Limeridge Road.
2. The supervision of the construction by the Senior Director of Roads.

WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works herein described at a total estimated cost of \$46,100.00 to be financed from the 1992 Capital Levy;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 47 of the 7th Report of the Transport & Environment Committee and Item 6 of the 14th Report of the Finance & Administration Committee on June 30, 1992;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described as an independent concrete curb on the east side of Upper Kenilworth Avenue between Landron Avenue and Limeridge Road may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$46,100.00, which cost shall be financed from the 1992 Capital Levy.
2. The Senior Director of Roads is hereby authorized to supervise construction of the works.
3. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this      day of                      , A.D. 1992.

City Clerk

Mayor

(1992) 7 R.T.E.C. 47, June 30

(1992) 14 R.F.A.C. 6, June 30

## BY-LAW NO. 92 -

## TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Queensdale	Eastbound and Westbound	East 33rd
Queensdale	Eastbound and Westbound	East 36th
Queensdale	Eastbound and Westbound	East 43rd
Queensdale	Eastbound and Westbound	Nancy
Maple	Eastbound and Westbound	Grosvenor
Fraser	Southbound	Edinburgh
Caswell	Westbound	Amalfi
Beaverton	Westbound	Acadia
Butler	Northbound	Acadia
Cartier	Westbound	Acadia
Philomena	Northbound	Claudette Gate
Spadara	Northbound	Benvenuto
Benvenuto (south leg)	Eastbound	Claudette Gate
Claudette Gate	Westbound	Spadara
Borodino	Eastbound	Essling".

and by deleting therefrom the following items, namely:-

"Broughton	Eastbound	Grayrocks
Grayrocks	Northbound and Southbound	Broughton".

2. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following item, namely:-

"Mountwood	East	Rockwood to 146 feet north	Anytime".
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3. **Schedule 31 (School Bus Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Queensdale	South	120 feet	33 feet west of the west curb line of Nancy	7:00 a.m. to 6:00 p.m. Monday to Saturday".
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4. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Kinrade	East	30 feet	517 feet south of Barton	9:00 a.m. to 5:00 p.m. Monday to Friday".
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PASSED THIS       DAY OF       , A.D. 19       .

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

## BY-LAW NO. 92 -

## TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 25A (Parking Time Limits)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding to **Section 5 (One Hour Limit)** the following items, namely:-

"Bay	Both	Aberdeen to Inglewood".
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2. **Schedule 25 (Parking Time Limits)** is hereby amended by deleting from **Section 5 (One Hour Limit)** the following item, namely:-

"Jackson	North	Spring to 150' west of Wellington".
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and by adding thereto the following items, namely:-

"Jackson	North	commencing at a point 53 feet east of Spring to a point 65 feet easterly therefrom
----------	-------	--

Ferguson	East	commencing at a point 30 feet south of Hunter to a point 115 feet southerly therefrom
----------	------	---

Ferguson	West	commencing at a point 31 feet south of Hunter to a point 91 feet southerly therefrom".
----------	------	--

3. **Schedule 26 (No Parking Areas)** is hereby amended by adding thereto the following items, namely:-

"Ferguson	West	commencing at a point 207 feet south of Hunter to a point 115 feet southerly therefrom
-----------	------	--

Jackson	North	commencing at a point 118 feet east of Spring to Wellington
---------	-------	---

Rushdale	West	commencing 102 feet south of the south curb line of Ruby to a point 68 feet southerly therefrom
----------	------	---

Rushdale	North	from the west curb line of Rushdale to a point 137 feet westerly therefrom
----------	-------	--

Essling (north leg)	South	from the west curb line of Essling to a point 92 feet westerly therefrom
---------------------	-------	--



Essling	West	from the south curb line of Essling (north leg) to a point 69 feet southerly therefrom
Essling	East	from the north curb line of Essling (south leg) to a point 88 feet northerly therefrom
Fairfield	West	Barton to Britannia".

and by deleting therefrom the following items, namely:-

"Mountwood Jackson	East North	Rockwood to 146 feet northerly Wellington to 150' west".
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4. **Schedule 27 (Alternate Side Parking)** is hereby amended by deleting therefrom the following item, namely:-

"Fairfield Avenue Britannia Avenue to Barton Street	West	East".
--	------	--------

5. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following items, namely:-

"Ferguson Peter	East North	Charlton to Foster commencing at a point 47 feet west of Ray to a point 21 feet westerly therefrom	Anytime
Rossllyn	East	commencing at a point 216 feet north of Cannon to a point 26 feet northerly therefrom	Anytime
Rossllyn	West	commencing at a point 241 feet north of Cannon to a point 26 feet northerly therefrom	Anytime".

and by deleting therefrom the following item, namely:-

"Elgin	West	commencing at a point 93 feet south of Robert to a point 20 feet southerly therefrom	Anytime
Clinton	North	commencing at a point 310 feet west of Lottridge to a point 23 feet westerly therefrom	Anytime".

PASSED THIS                      DAY OF                      , A.D. 19   .

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Cemeteries By-law No. 8861

Respecting:

REVISED TARIFF OF CHARGES

WHEREAS By-law No. 8861, passed on the 12th day of January 1960, in accordance with the Cemeteries Act, established a tariff of charges;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 12 of the 9th Report of the Parks and Recreation Committee, at its meeting held on the 12th day of May 1992, directed that By-law No. 8861, as amended, be further amended to provide for an increase in the tariff of charges for 1992.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) By-law No. 8861, as amended by By-laws No. 74-303, 76-187, 76-337, 77-292, 78-276, 79-17, 79-319, 80-229, 81-219, 83-42, 84-323, 84-268, 86-11, 87-22, 88-40, 88-274, 89-363, 90-16 and 90-344, is further amended by deleting Schedule "B-1992" and substituting in lieu thereof Schedule "B-1992(a)", hereto annexed and forming part of this by-law.

(b) In all other respects, By-law No. 8861, as amended, is hereby confirmed unchanged.

2. This by-law becomes effective on the 20th day of April, 1992.

3. The Manager of Cemeteries is hereby authorized and directed to make application to the Minister of Consumer and Commercial Relations, Cemeteries Branch, for approval of this by-law.

PASSED this                      day of July, A.D. 1992.

City Clerk

Mayor

## SCHEDULE "B-1992(a)"

HAMILTON MUNICIPAL CEMETERIES' TARIFF OF CHARGESApril 20, 1992

(Cemeteries By-law No. 8861)

<u>GRAVES AND LOTS</u>	<u>Resident and Non-Resident Realty Taxpayers</u>			<u>Non-Residents</u>		
		<u>G.S.T.</u>	<u>TOTAL</u>		<u>G.S.T.</u>	<u>TOTAL</u>
Adult Single In A Row Grave..... (Graves cannot be selected or purchased in advance but are opened in sequence)	417.00	29.19	446.19	515.00	36.05	551.05
Adult Single Grave..... (Where grave may be selected and purchased in advance of need)	697.00	48.79	745.79	862.00	60.34	922.34
Child Single In A Row Grave						
Case up to 60".....	100.00	7.00	107.00	130.00	9.10	139.10
Case 61" to 72".....	148.00	10.36	158.36	193.00	13.51	206.51
Baby Special Grave..... (Multiple burials - up to one month old)	44.00	3.08	47.08	46.00	3.22	49.22
Garden Grave.....	232.00	16.24	248.24	282.00	19.74	301.74
Columbarium.....	859.00	60.13	919.13			
Veteran's Grave.....	396.00	27.72	423.72			
Two-Grave Lot.....	1,599.00	111.93	1,710.93	1,993.00	139.51	2,132.51
Two-Grave Lot - Eastlawn Section 15, 16 (6' burials only)	1,305.00	91.35	1,396.35	1,630.00	114.10	1,744.10
Three-Grave Lot - Woodland.....	2,388.00	167.16	2,555.16	2,987.00	209.09	3,196.09
Four-Grave Lot - Woodland Section 21, 25 - Eastlawn Section 19..	3,130.00	219.10	3,349.10	3,980.00	278.60	4,258.60
Four-Grave Lot - Woodland Section 15..	5,782.00	404.74	6,186.74	7,223.00	505.61	7,728.61
Four-Grave Lot - Trinity.....	2,941.00	205.87	3,146.87	3,733.00	261.31	3,994.31
Mansion of Memories - Mausoleum Crypt..	1,114.00	77.98	1,191.98	1,224.00	85.68	1,309.68

( 40% of all Grave and Lot Sales goes into Perpetual Care

		Resident and Non-Resident Realty Taxpayers		Non-Residents	
<u>OPENING AND CLOSING</u>		<u>G.S.T.</u>	<u>TOTAL</u>	<u>G.S.T.</u>	<u>TOTAL</u>
6 ft. Adult.....	423.00	29.61	452.61	490.00	524.30
8 ft. Adult.....	570.00	39.90	609.90	634.00	678.38
6 ft. Child - case up to 42".....	256.00	17.92	273.92	376.00	402.32
- case 43" - 60".....	291.00	20.37	311.37	412.00	440.84
- case 61" - 72".....	322.00	22.54	344.54	465.00	497.55
8 ft. Child - case up to 60".....	322.00	22.54	344.54	465.00	497.55
- case 61" - 72".....	358.00	25.06	383.06	515.00	551.05
Baby Special - Multiple burials - Up to one month old..	57.00	3.99	60.99	86.00	92.02
Cremation.....	137.00	9.59	146.59	196.00	209.72
Columbarium.....	90.00	6.30	96.30		
Mansion of Memories - Stoney Creek- New Crypts only...	349.00	24.43	373.43	409.00	437.63
<u>LOWERING (Opening Charges not included)</u>					
<u>Adult</u>					
From 6 ft. to 8 ft. - Shell.....	282.00	19.74	301.74	428.00	457.96
From 6 ft. to 8 ft. - Steel Vault...	551.00	38.57	589.57	824.00	881.68
From 6 ft. to 8 ft. - Concrete Vault	657.00	45.99	702.99	988.00	1,057.16
<u>Child</u>					
From 6 ft. to 8 ft. - 5 to 10 years.	196.00	13.72	209.72	291.00	311.37
From 6 ft. to 8 ft. - under 5 years.	94.00	6.58	100.58	138.00	147.60
<u>REMOVALS</u>					
Adult - Shell.....	1,488.00	104.16	1,592.16	2,290.00	2,450.30
- Concrete Vault or Crypt.....	1,214.00	84.98	1,298.98	1,817.00	1,944.19
Child - Shell	353.00	24.71	377.71	550.00	588.50
- Concrete Vault or Crypt.....	378.00	26.46	404.46	560.00	599.20
Cremation.....	137.00	9.59	146.59	196.00	209.72
<u>ADDITIONAL SERVICES</u>				<u>G.S.T.</u>	<u>TOTAL</u>
<u>CRYPTS</u>					
Child.....			272.00	19.04	291.04
Youth.....			285.00	19.95	304.95
Standard.....			297.00	20.79	317.79
Intermediate.....			305.00	21.35	326.35
Oversize.....			324.00	22.68	346.68
<u>PLANTING</u>					
Preparing ground and planting flowers -per grave....			40.00	2.80	42.80
Preparing ground and planting one shrub.....			51.00	3.57	54.57
(Flowers and shrubs are to be provided by the family at their expense)					
<u>MISC.</u>					
Tent in cemetery.....			126.00	8.82	134.82
Rental of tent outside cemetery.....			172.00	12.04	184.04
Rental of dressing to use outside cemetery.....			137.00	9.59	146.59
Rental of lowering device outside cemetery.....			137.00	9.59	146.59
Transfer Fee \$2.00 + Research \$44.00.....			26.00	1.82	27.82
Inscription Fee on Columbarium Niche.....			240.00	16.80	256.80



<u>FOUNDATIONS AND MARKERS</u>	<u>Resident and Non-Resident Realty Taxpayers</u>		<u>Non-Residents</u>	
	<u>G.S.T.</u>	<u>TOTAL</u>	<u>G.S.T.</u>	<u>TOTAL</u>
*Foundation - pouring per square inch of surface area (to be poured 6 ft. deep) .....	.94	+7%	1.41	+7%
*Marker Setting Fee	114.00	7.98	121.98	177.00
(maximum size 24" long x 18" wide)				
(thickness 8" maximum - 4" minimum)				
Social Service Marker .....	114.00	7.98	121.98	154.00
Bronze Vase .....	114.00	7.98	121.98	177.00
D.V.A. Upright .....	96.00	6.72	102.72	
D.V.A. Flat .....	96.00	6.72	102.72	

#### Preferred Singles

Only a flat marker 24" in length and 18" in width is permitted.

#### ingles Graves in a Row

A flat granite marker, maximum length 24" and width 18" is permitted.

#### Urn Garden Section

Only a flat marker 12" in length and 10" in width is permitted.

#### Children's Section

Only a flat marker 18" in length and 14" in width is permitted.

#### Two-Grave Lot Section

Upright monument is allowed, maximum length of base must not exceed 3'2" (38"), and maximum width must not exceed 1'2" (14"). All bases must be at least 6" in height. The total over-all height of any memorial must not exceed 4' (48"). All memorial bases must have a projection of at least 3" on all sides from the edge of the die or cross.

#### Three and Four-Grave Lot Section

Maximum base area not to exceed 10% of lot area. Total overall height to be governed by base size for appearance and balance. All memorial bases must have a projection of at least 3" on all sides from the edge of the die or cross.

E: As of July 1, 1992, there will be an additional charge which will be for the Care and Maintenance Fund for markers and upright monuments as follows:

- (a) Any flat marker under 173 square inches - no charge
  - (b) Any flat marker over 173 square inches - \$50.00
  - (c) Any upright monument 4 ft. or under in length and height - \$100.00
  - (d) Any upright monument over 4 ft. in either length or height - \$200.00
- Upright height includes the base.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Adopt:

Official Plan Amendment No. 99

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 45 RIFLE RANGE ROAD  
WITHIN THE AINSLIE WOOD NEIGHBOURHOOD

The Council of The Corporation of the City of Hamilton  
enacts as follows:

1. Amendment No. 99 to the Official Plan of the Hamilton  
Planning Area consisting of Schedule 1, hereto annexed and forming  
part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval  
of the Official Plan Amendment referred to in section 1 above, as  
may be requisite, be obtained and for the doing of all things for  
the purpose thereof.

PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor

**Amendment No. 99**  
**to the**  
**City of Hamilton Official Plan**

The following text, together with Schedules "A" and "B", attached hereto, constitutes Official Plan Amendment No. 99.

**Purpose:**

The purpose of this Amendment is to redesignate the subject lands from "Industrial" to "Residential" and "Major Institutional" on Schedule "A" - Land Use Concept of the Official Plan and to remove the subject lands from "Special Policy Area 11" on Schedule "B" - Special Policy Areas to permit residential development and the construction of a new secondary school.

**Location:**

The lands affected by this Amendment are known municipally as 45 Rifle Range Road, located within the Ainslie Wood Neighbourhood.

**Basis:**

The basis for redesignating the subject lands from "Industrial" to "Residential" and "Major Institutional" and removing the subject lands from Special Policy Area 11 is as follows:

- 1) Residential uses are compatible with the established residential development in the neighbourhood;
- 2) The redesignation represents a logical extension of the established residential neighbourhood to the south;
- 3) It provides for the redevelopment and intensification of a former industrial site;
- 4) It is consistent with the policies of the Land Use Planning for Housing Provincial Policy Statement;
- 5) The redesignation will result in the elimination of existing or potential conflicts between industrial and residential uses;

- 6) The subject lands have good access to the major arterial roadway system via Rifle Range Road and Whitney Road; and,
- 7) The need for a new Separate Board secondary school in the west end of the City of Hamilton will be satisfied.

**Actual Changes:**

- 1) Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating the subject lands from:
  - "Industrial" to "Residential"; and,
  - "Industrial" to "Major Institutional".as shown on the attached Schedule "A" of this Amendment.
- 2) Schedule "B" - Special Policy Areas of the Official Plan be revised by removing the subject lands from "Special Policy Area 11", as shown on the attached Schedule "B" of this Amendment.

**Implementation:**

A Zoning By-law amendment will give effect to the intended use on the subject lands.



This is Schedule "1" to By-law No. 92- , passed on the day of , 1992.

**The Corporation of the  
City of Hamilton**

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City Clerk

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Mayor

**schedule A**  
**amendment no. 99**  
 to the  
 official plan  
 for the  
 city of hamilton

**legend**

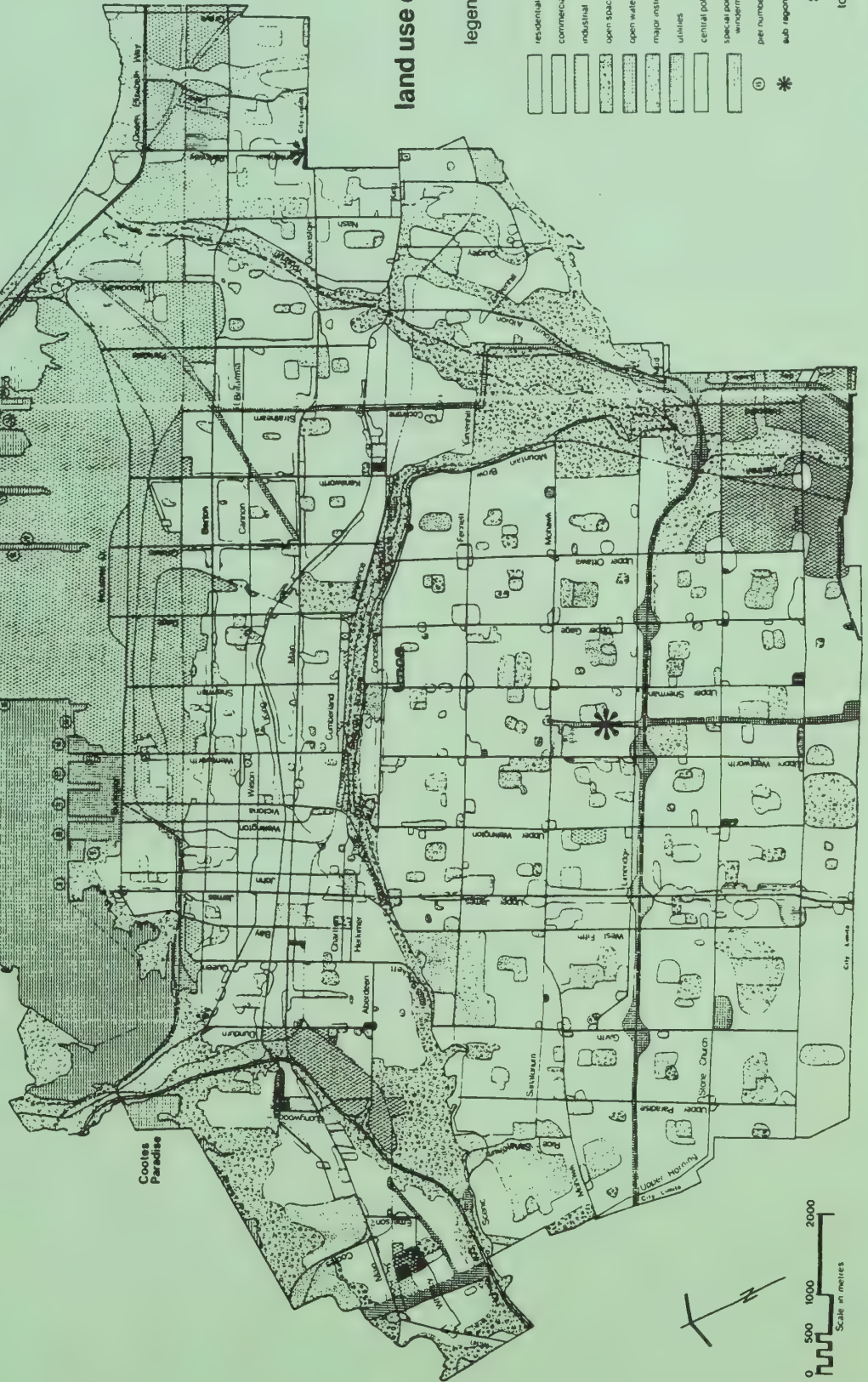
Areas to be changed from:  
 industrial to residential;  
 industrial to major institutional



date	drawn by	reference file no.
JULY 1992	L.B.	PS-3-2-99

Lake Ontario

DEFERRED NO D-6  
 UNDER SECTION 14(3) OF  
 THE PLANNING ACT



**land use concept**

**legend**





- residential
- commercial
- industrial
- open space
- open water
- major institutional
- utilities
- central policy area
- special policy area
- environment basin
- per numbers
- sub regional centre

**schedule A**  
 to the official plan  
 for  
 the city of hamilton  
 APRIL 8, 1992

0 500 1000 2000  
 Scale in metres

**schedule B**  
amendment no. 99  
to the  
official plan  
for the  
city of hamilton

legend

	Remove from "Special Policy Area 11"
	date May, 1991
	drawn by J.G.
	reference file no. 6-2-99

**special policy  
areas**

REFER TO  
POLICY  
AREA

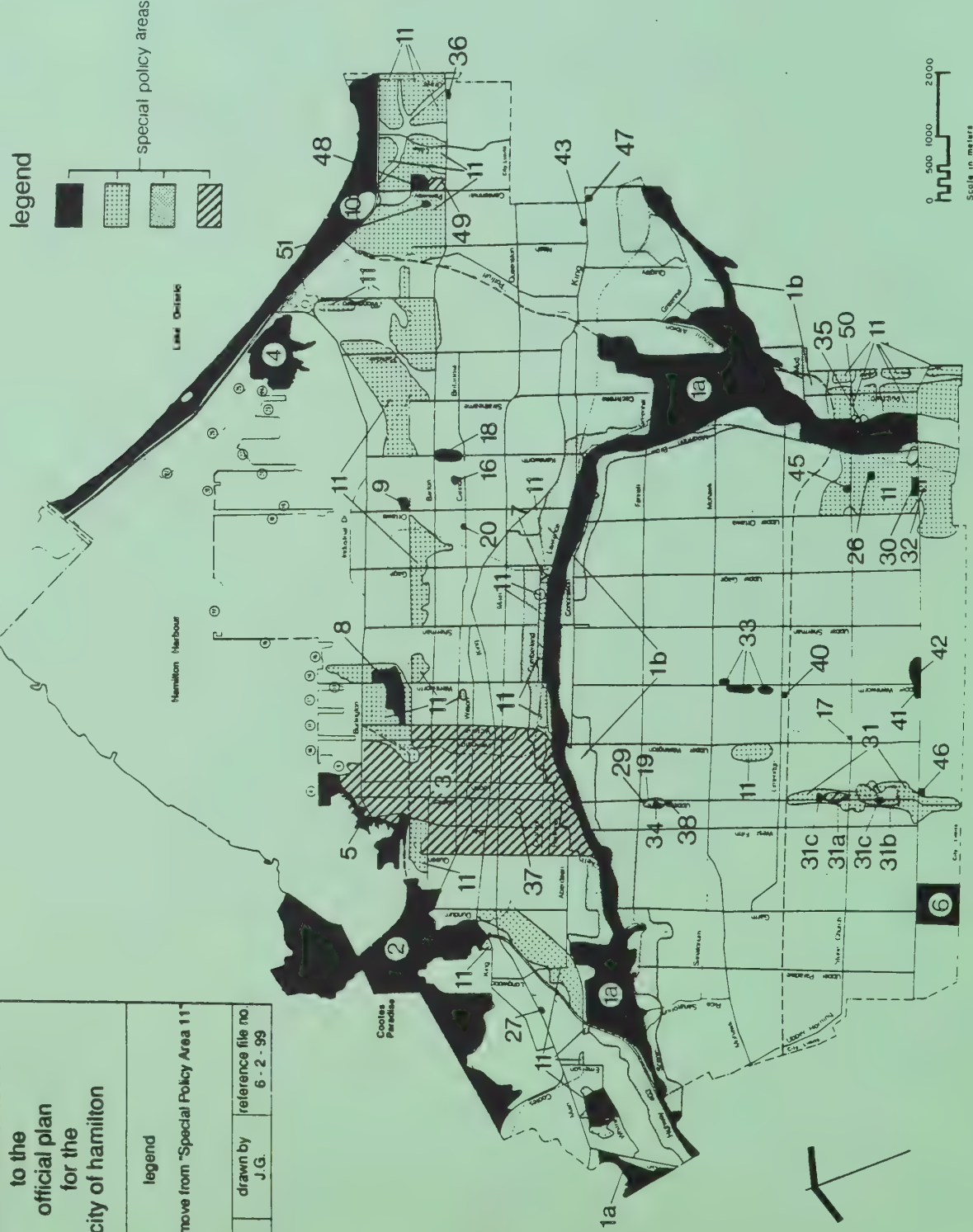
1(a)	A29.1
1(b)	A29.1
2	A29.1
3	A29.2
4	A29.3
5	A29.3.1
6	A29.3.2
7	A29.3.3
8	A29.3.4
9	A29.3.5
10	A29.3.6
11	A29.3.8
12	A29.3.14
13	A29.3.15
14	A29.3.16
15	A29.3.17
16	A29.3.18
17	A29.3.21
18	A29.3.22
19	A29.3.24
20	A29.3.25
21	A29.3.26
22	A29.3.27
23	A29.3.28
24	A29.3.29
25	A29.3.30
26	A29.3.31
27	A29.3.32
28	A29.3.33
29	A29.3.35
30	A29.3.36
31	A29.3.37
32	A29.3.38
33	A29.3.40
34	A29.3.41
35	A29.3.42
36	A29.3.43
37	A29.3.44
38	A29.3.45
39	A29.3.46
40	A29.3.46
41	A29.3.46
42	A29.3.46
43	A29.3.46
44	A29.3.46
45	A29.3.46
46	A29.3.46
47	A29.3.46
48	A29.3.46
49	A29.3.46
50	A29.3.46
51	A29.3.46

Refer to Schedule B - 1 for Special  
Policy Areas in the Downtown

**schedule B**

to the official plan  
for  
the city of hamilton

90 11 04





The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593  
As Amended by Zoning By-laws No. 87-118 and 90-071

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 1489 to 1495 UPPER GAGE AVENUE

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 87-118 on the 28th day of April 1987 to change the zoning, impose a holding provision and establish a special requirement under Section 19B of Zoning By-law No. 6593, for the "DE-3" District, in respect of the lands located at Municipal Nos. 1489 to 1495 Upper Gage Avenue, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, R.S.O. 1990, Chapter P.13;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-071 on the 13th day of March 1990 to remove the holding provision for the "DE-3" District, in respect of the lands located at Municipal Nos. 1489 to 1495 Upper Gage Avenue, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, R.S.O. 1990, Chapter P.13;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 22 of the 11th Report of the Planning and Development Committee at its meeting held on the 30th day of June 1992, recommended that Zoning By-law No. 6593, as amended by By-laws No. 87-118 and 90-071 be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "DE-3" (Multiple Dwellings) District provisions, as contained in Section 10C of Zoning By-law No. 6593, as amended by By-laws Nos. 87-118 and 90-071, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further amended to the extent only of the special requirements that,



- (a) notwithstanding Section 2.(2)A.(viii) and Section 10C(1)(vi) of By-law No. 6593, a senior citizens multiple dwelling with not more than 72 housekeeping dwelling units shall be permitted;
- (b) notwithstanding Section 10C(1) of By-law No. 6593,
  - (i) a central kitchen, a common dining room and lounge area shall be permitted only in conjunction with a senior citizens multiple dwelling; and
  - (ii) an indoor amenity area of not less than 140 m<sup>2</sup> shall be provided and maintained;
- (c) notwithstanding TABLE 1 of Section 18A. of By-law No. 6593, not less than 40 parking spaces shall be provided and maintained for a senior citizens multiple dwelling containing not more than 72 housekeeping dwelling units; and
- (d) for the purposes of this by-law, a senior citizens multiple dwelling means a multiple dwelling within which all residents are at least 60 years of age or older.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-3" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1009b.

4. Sheet No. E-49D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1009b.

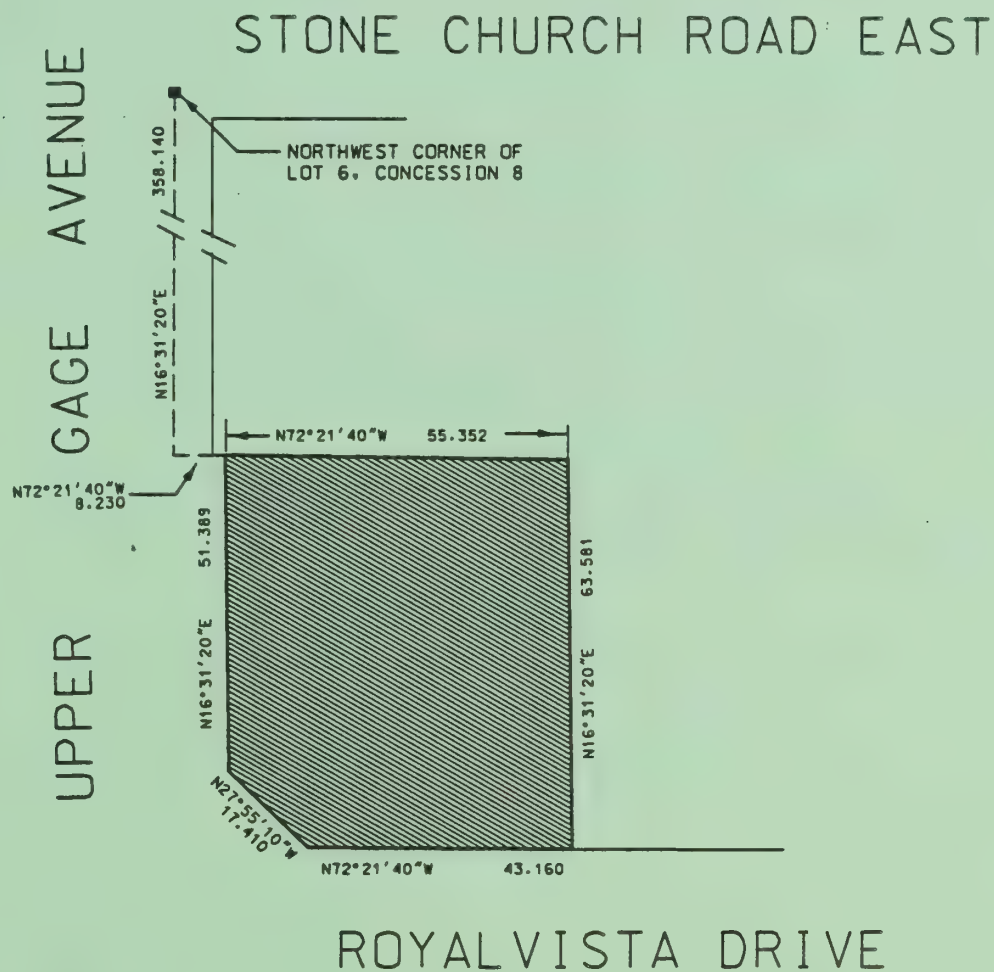
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor

(1992) 11 R.P.D.C. 22, June 30  
815488 Ontario Inc. (Nella Bradt), Owner  
Amended ZA-92-15



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-\_\_\_\_  
Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

**City of Hamilton**  
**Schedule A**  
Map Forming Part of  
By-Law No. 92-\_\_\_\_\_  
to Amend By-Law No. 6593  
Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



Lands to be regulated by  
By-Law No. 92-.....

<p>North</p>	Scale	Reference File No.
	NOT TO SCALE	ZA 92-15
	Date	Drawn By
	JUNE, 1992	T.A

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

THE REGULATION OF SATELLITE DISHES

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 19 of the 11th Report of the Planning and Development Committee at its meeting held on the 30th day of June 1992, recommended that By-law No. 6593 be amended to provide for the regulation of satellite dishes;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 2.(2)H of By-law No. 6593 is amended by adding the following definition thereto:

(vica) "Satellite dish" shall mean a concave directional antennae having a diameter of one metre or more which is used or intended to be used to send or receive signals to or from satellites.

2. Section 18 of the said by-law is amended by adding the following subsection thereto:

SPECIAL REQUIREMENTS FOR SATELLITE DISHES

(13) Notwithstanding any other provision of this By-law the following provisions shall apply to every satellite dish:

(i) Except as provided in paragraph (ii), only one satellite dish shall be permitted on every lot in a residential district, and shall comply with the following:

(a) located only in a rear yard;

(b) set back a distance of not less than the diameter of the dish from every side and rear lot line;

(c) a height of not more than 4.5 m including the support structure;

- (ii) Satellite dishes shall be permitted and only be located on the roof of a multiple dwelling or the roof of the principal building in a non-Residential District, and Section 2.(2)J.(ix) shall not apply to every such satellite dish.

3. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor

(1992) 11 R.P.D.C. 19, June 30  
CI-89-A



The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593  
and To Repeal Zoning By-law No. 85-231

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 547 AND 549 WILSON STREET  
AND NOS. 79 AND 81 SANFORD AVENUE NORTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 85-231 on the 29th day of October 1985 to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "D" District, in respect of the land located at Municipal Nos. 549 Wilson Street and 79 and 81 Sanford Avenue North, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, R.S.O. 1990, Chapter P.13;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 23 of the 11th Report of the Planning and Development Committee at its meeting held on the 30th day of June 1992, recommended that Zoning By-law No. 6593 be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law, and to repeal By-law No. 85-231;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 85-231, applicable to a portion of the subject lands (Block 2), is hereby repealed.

2. The "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks 1 and 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding Section 10.(1) of By-law No. 6593, the following uses shall be permitted:

(i) INDUSTRIAL USE:

1. A bakery on Block 2;

(ii) COMMERCIAL USE:

1. One business identification sign that is a window sign or a wall sign that complies with the following requirements:

A. The total aggregate area of the sign shall not exceed 2.5 m<sup>2</sup>;

B. The sign shall not be illuminated except by non-flashing indirect lighting.

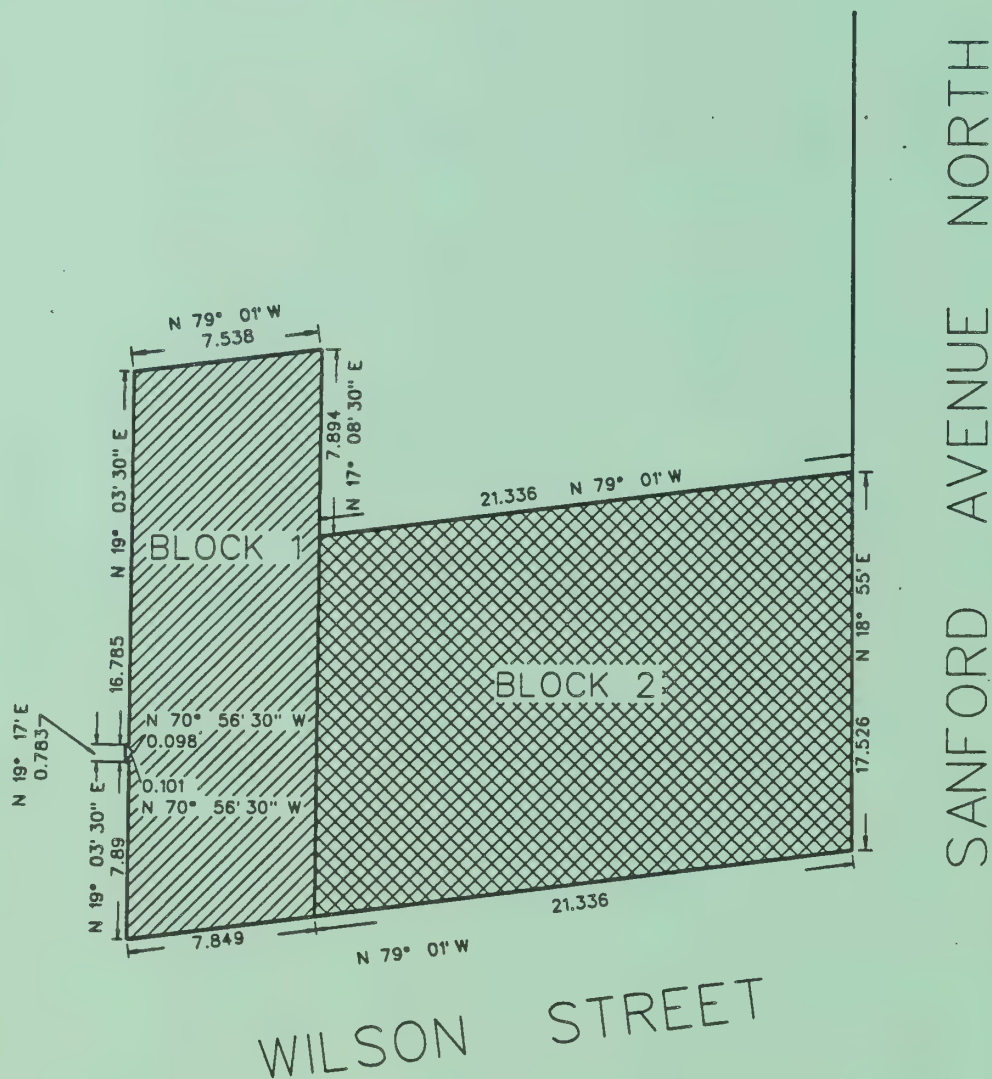
(iii) ACCESSORY USES:

1. A restaurant on Block 2 having a seating capacity of not more than 12 persons;
  2. Parking area on Block 1;
- (b) notwithstanding Section 10.(3)(i) of By-law No. 6593, a front yard of a depth of not less than 3.0 m shall be provided and maintained for the building located on Block 2;
  - (c) notwithstanding Section 10.(3)(ii) of By-law No. 6593, a southerly side yard of a width of not less than 0.10 m and a northerly side yard of a width of not less than 1.80 m shall be provided and maintained for the building located on Block 2;
  - (d) a landscaped area in the form of four triangles not less than 7.0 m<sup>2</sup> each shall be provided and maintained along the westerly lot line of Block 1 adjacent to the four parking spaces;
  - (e) a chain link fence not less than 1.80 m in height shall be provided and maintained along the rear 8.5 m of the northerly lot line of No. 81 Sanford Avenue North (Block 2), and along the rear 7.9 m of the easterly lot line of Block 1;
  - (f) a closed board fence not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the westerly and northerly lot lines of Block 1;
  - (g) pedestrian access to or egress from the rear addition to the bakery/restaurant use located on Block 2 shall be prohibited;
  - (h) outside storage of any kind shall be prohibited on Blocks 1 and 2;
  - (i) except for only a rear one storey addition, the exterior of the building known as No. 81 Sanford Avenue North shall not be altered;
  - (j) notwithstanding Section 18A.(9) of By-law No. 6593, part of the 3 required parking spaces and manoeuvring spaces shall be permitted off the lot on which the principal use, building or structure is located.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 2.
  4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1276.
  5. Sheet No. E-22 of the District Maps is amended by marking the lands referred to in section 2 of this by-law, S-1276.
  6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-\_\_\_\_  
Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

**City of Hamilton**  
**Schedule A**  
Map Forming Part of  
By-Law No. 92-\_\_\_\_\_  
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**



Modification to the "D" (Urban Protected Residential- One and Two Family Dwellings, Townhouses, etc.) District regulations.



Further modification to the "D" (Urban Protected Residential- One and Two Family Dwellings, Townhouses, etc.) District regulations.

North



Scale  
NOT TO SCALE

Date  
JULY, 1992

Reference File No.  
ZA 91-82

Drawn By  
L.B.



The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Establish:

Site Plan Control

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 547 AND 549 WILSON STREET  
AND NOS. 79 AND 81 SANFORD AVENUE NORTH

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P.13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

140. Lands located at Municipal Nos. 547 and 549 Wilson Street and Nos. 79 and 81 Sanford Avenue North, shown on Appendix 140 hereto annexed and forming part of this by-law.

2. Appendix 140 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

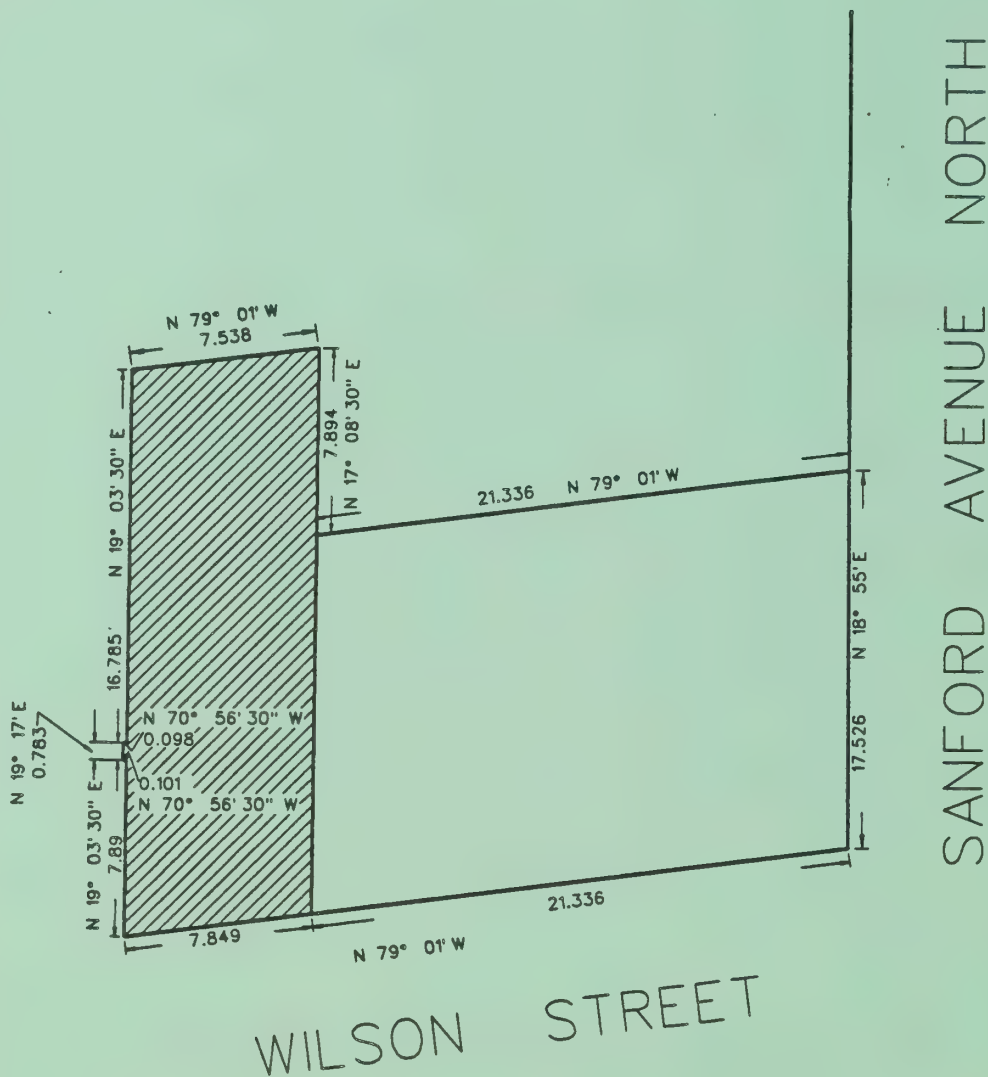
PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor

(1992) 11 R.P.D.C. 23(b), June 30  
Domenico DeRosa, Owner  
ZA-91-82





NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-\_\_\_\_  
Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

**City of Hamilton**  
**Appendix 140**  
**To By-Law No. 79-275**  
**as Amended by**  
**By-Law No. 87-223**

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**



Lands designed under this By-Law  
as an area of Site Plan Control  
pursuant to section 40 of the  
Planning Act

North



Scale  
NOT TO SCALE

Date  
JULY, 1992

Reference File No.  
ZA 91-82

Drawn By  
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 257 MOHAWK ROAD WEST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 9.(1) of By-law No. 6593, a lodge (masonic temple) shall be permitted only within the existing building;
- (b) notwithstanding Section 18A.(1) of By-law No. 6593, not less than forty-one (41) parking spaces shall be provided and maintained on the subject lands;
- (c) notwithstanding Section 18A.(26) of By-law No. 6593, the access/egress driveway along the westerly property line shall be located not less than 1.5 m from the common boundary with the residential district.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1275.

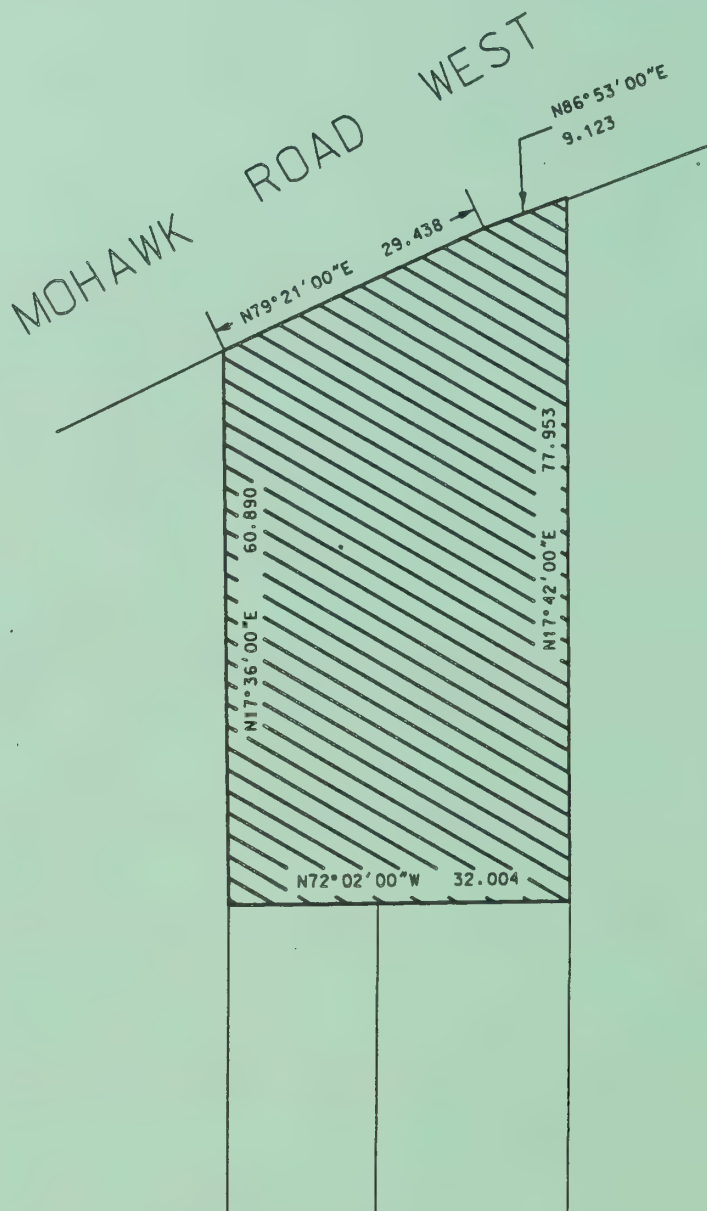
4. Sheet No. W-9 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1275.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-\_\_\_\_  
Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

-----  
Clerk

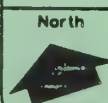
-----  
Mayor

**City of Hamilton**  
**Schedule A**  
Map Forming Part of  
By-Law No. 92-\_\_\_\_  
to Amend By-Law No. 6593  
Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend  
Change in zoning from:



Lands to be regulated by  
By-Law No. 92-\_\_\_\_\_



Scale  
NOT TO SCALE

Date  
JULY, 1992

Reference File No.  
ZA92-13

Drawn By  
T.A.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 257 MOHAWK ROAD WEST

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P.13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

139. Land located at Municipal No. 257 Mohawk Road West, shown on Appendix 139 hereto annexed and forming part of this by-law.

2. Appendix 139 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

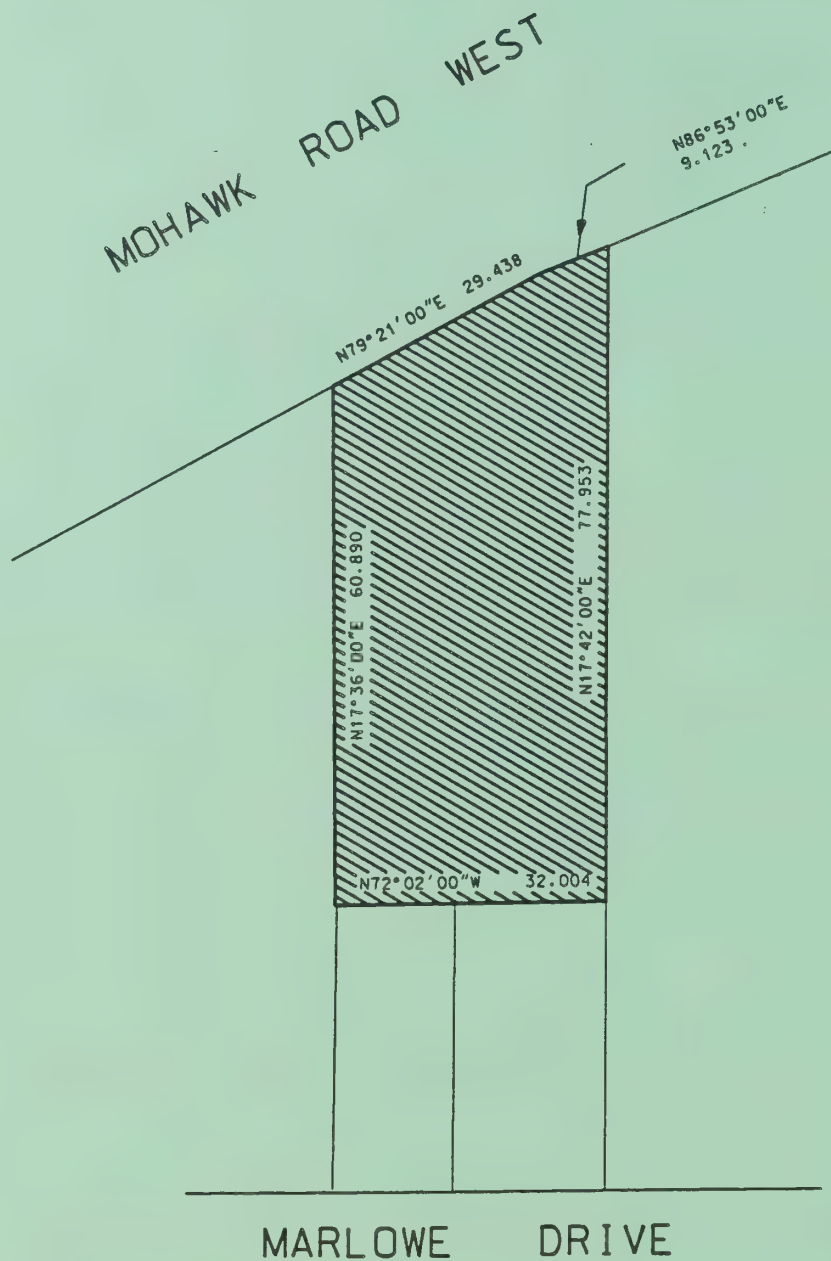
PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor

(1992) 11 R.P.D.C. 21(B), June 30  
Hillcrest Masonic Temple Corporation  
(Kenneth Schweitzer, President), Owner  
ZA-92-13





NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-\_\_\_\_  
Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

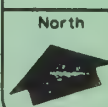
**City of Hamilton**  
**APPENDIX 139**  
To By-Law No. 79-275  
As Amended By  
By-Law No. 87-223

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**



Lands designated under this By-Law  
as an area of Site Plan Control  
pursuant to Section 40 of the  
Planning Act.



Scale  
NOT TO SCALE

Date  
JULY, 1992

Reference File No.  
ZA92-13

Drawn By  
T.A.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 45 RIFLE RANGE ROAD

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 99, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. W-46 and W-47 of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "M-14" (Prestige Industrial) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 9.(2) of By-law No. 6593, no building shall exceed two storeys, and no structure shall exceed 14.5 m in height;
- (b) notwithstanding Section 9.(3) of By-law No. 6593, the following yards shall be provided and maintained:
  - 1. a front yard of a depth of not less than 9.0 m on Whitney Avenue;
  - 2. side yards of a width of not less than 9.0 m except that the northerly side yard shall have:
    - 2.1 a width of not less than 111.40 m for the two storey principal building; and
    - 2.2 a width of not less than 20.0 m for any portable classroom buildings.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1228.

5. Sheets No. W-46 and W-47 of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1228.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

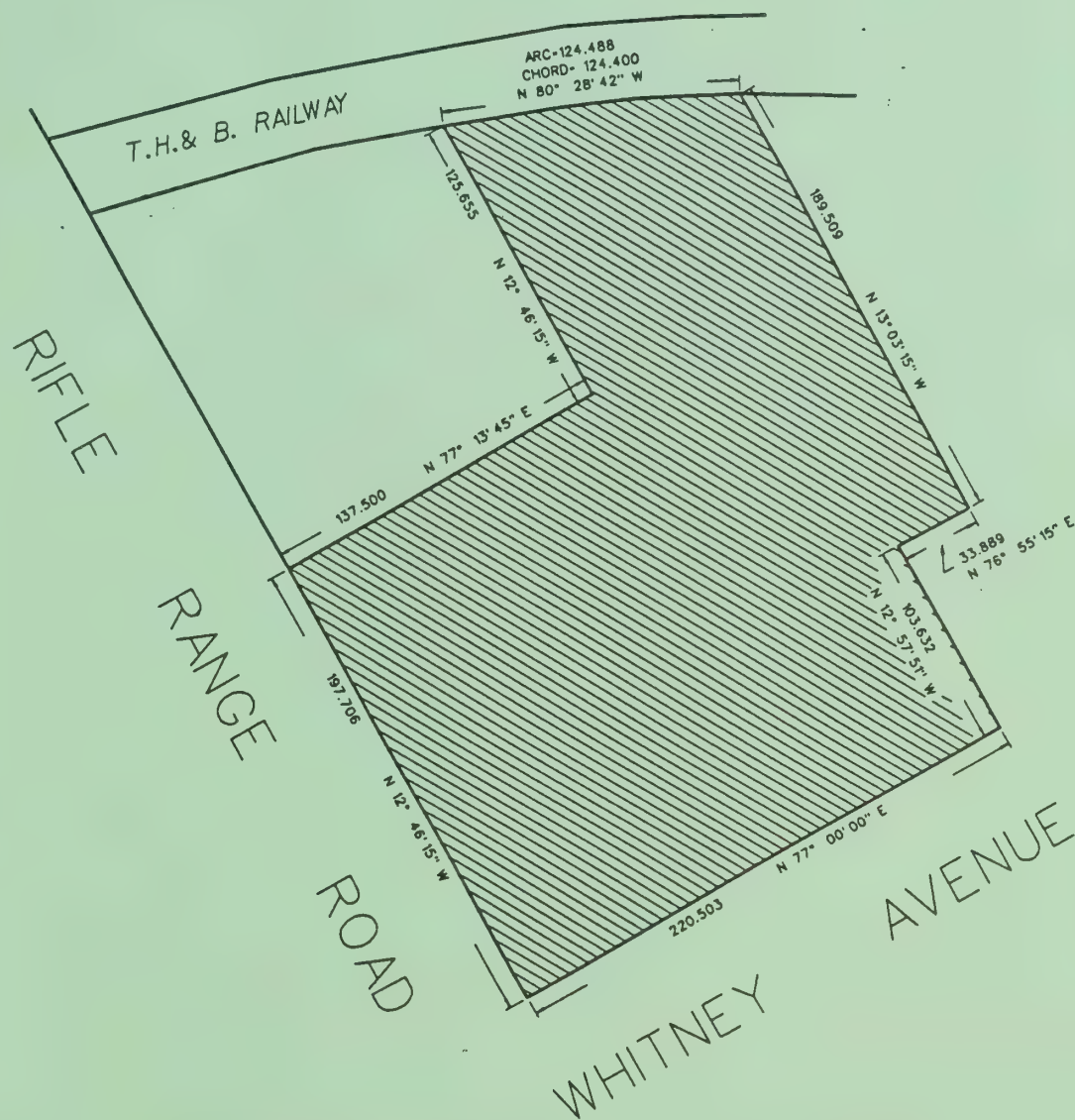
day of

A.D. 1992.

City Clerk

Mayor

(1992) 13 R.P.D.C. , July 28  
 Patran Holdings Limited, Owner  
 Amended ZA-90-40



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-\_\_\_\_  
Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

**City of Hamilton**  
**Schedule A**  
Map Forming Part of  
By-Law No. 92-\_\_\_\_\_  
to Amend By-Law No. 6593  
Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**

Change in zoning from:



"M-14" (Prestige Industrial) District, modified to  
"C" (Urban Protected Residential, etc.) District,  
modified.

 North	Scale NOT TO SCALE	Reference File No. ZA 90-40
	Date JULY, 1992	Drawn By L.B.



The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 45 RIFLE RANGE ROAD

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 99, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-46 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "M-14" (Prestige Industrial) District to "RT-20" (Townhouse - Maisonette) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "RT-20" (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 10E(7)(a)(i) of Zoning By-law No. 6593 a maximum of 95 townhouse dwelling units shall be permitted.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-20" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1277.

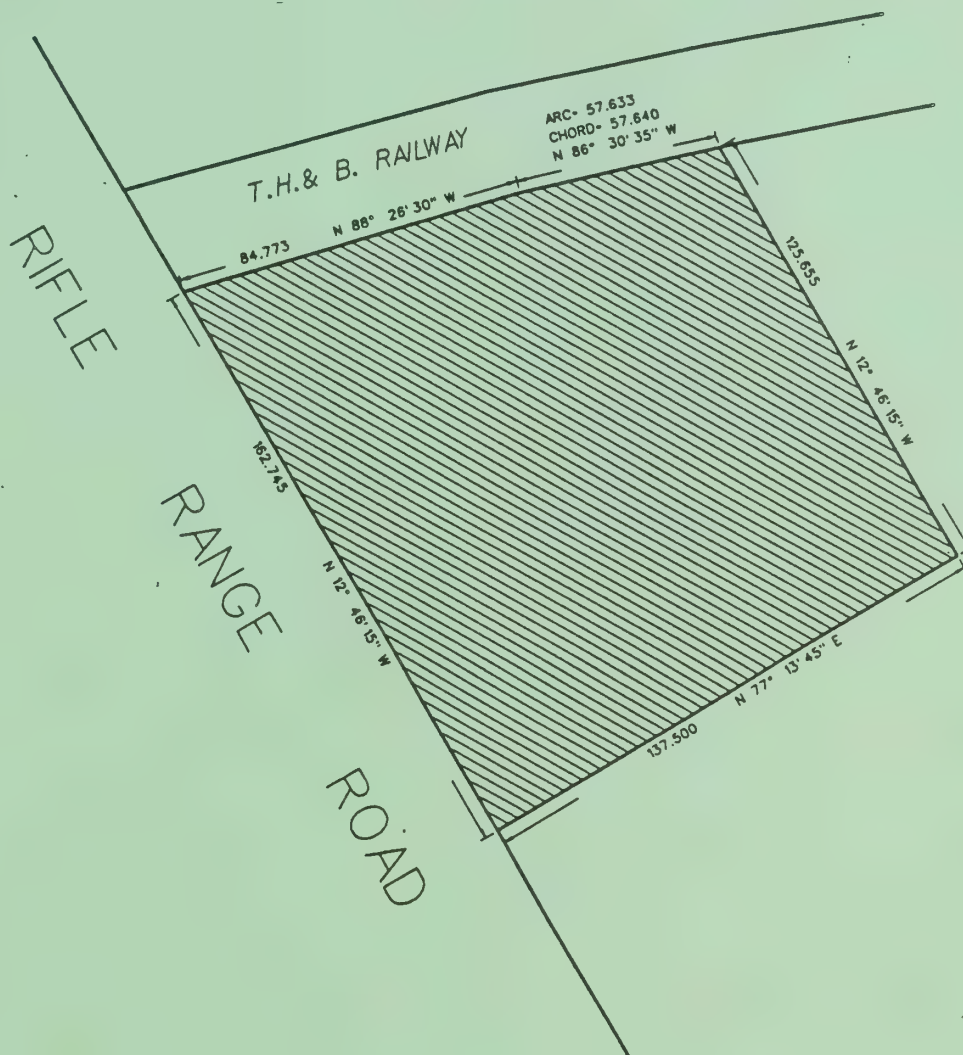
5. Sheet No. W-46 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1277.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-\_\_\_\_  
 Passed the \_\_\_\_ day of \_\_\_\_\_, 1992.

\_\_\_\_\_  
 Clerk

\_\_\_\_\_  
 Mayor

**City of Hamilton**  
**Schedule A**  
 Map Forming Part of  
 By-Law No. 92-\_\_\_\_  
 to Amend By-Law No. 6593  
 Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

Legend

Change in zoning from:

"M-14" (Prestige Industrial) District, modified to  
 "RT-20" (Townhouse-Maisonette) District, modified.

North 	Scale NOT TO SCALE	Reference File No. ZA 90-40
	Date JULY, 1992	Drawn By L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 45 RIFLE RANGE ROAD

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P.13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

141. Land located at Municipal No. 45 Rifle Range Road, shown on Appendix 141 hereto annexed and forming part of this by-law.

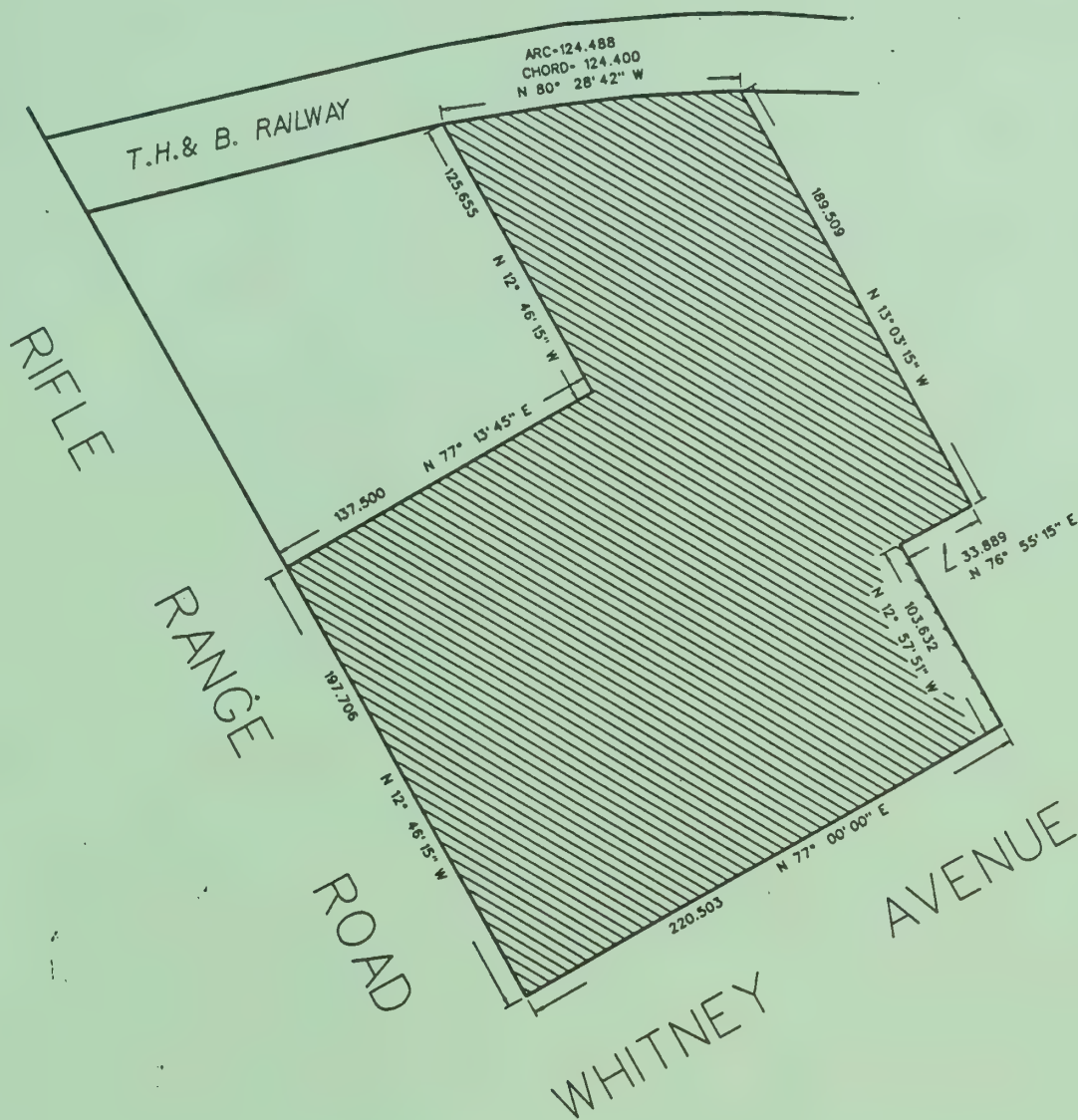
2. Appendix 141 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this                      day of                      A.D. 1992.

City Clerk

Mayor





NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-\_\_\_\_  
Passed the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

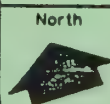
**City of Hamilton**  
**APPENDIX 141**  
To By-Law No. 79-275  
as Amended by  
By-Law No. 87-223

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**



Lands Designated Under this By-Law  
as an area of Site Plan Control pursuant  
to Section 40 of the Planning Act.



Scale  
NOT TO SCALE

Date  
JULY, 1992

Reference File No.  
ZA 90-40

Drawn By  
L.B.



The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

By-law No. 92-094

Respecting:

THE CHIEF BUILDING OFFICIAL AND INSPECTORS APPOINTED UNDER  
THE BUILDING CODE ACT, R.S.O. 1990,  
STATUTES OF ONTARIO, CHAPTER B.13

WHEREAS Section 3 of the Building Code Act, R.S.O. 1990,  
Chapter B.13 provides as follows:

3. (1) The council of each municipality is responsible for the enforcement of this Act in the municipality;
- (2) The council of each municipality shall appoint a chief building official and such inspectors as are necessary for the purposes of the enforcement of this Act in the areas in which the municipality has jurisdiction.

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law 92-094 on the 31st day of March 1992 to provide for the appointment of the Chief Building Official and Inspectors pursuant to the Building Code Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 1 of the 13th Report of the Planning and Development Committee, at its meeting held on the 28th day of July 1992, directed that By-law No. 92-094 be amended as hereinafter provided.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 9 of By-law 92-094 is amended by adding the name:

Michael Reilly

PASSED this 28th day of July, A.D. 1992.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Authorize:

REPLACEMENT OF POOL FILTRATION SYSTEM -  
JIMMY THOMPSON POOL

WHEREAS the Ontario Municipal Board by Order dated the 15th day of June, 1992, (File No. E 920409), approved,

- (a) the replacement of the Pool Filtration System at Jimmy Thompson Pool at an estimated cost of \$250,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures to a maximum of \$250,000.00 for a term not to exceed twenty years by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the replacement of the Pool Filtration System at Jimmy Thompson Pool may now be proceeded with in accordance with the Ontario Municipal Board Order dated the 15th day of June, 1992.

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      , A.D. 1992.

City Clerk

Mayor

BY-LAW NO. 92 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 28TH DAY OF JULY A.D., 1992.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this                      day of                      A.D. 1992

CITY CLERK

MAYOR

**THE REGIONAL MUNICIPALITY  
OF HAMILTON-WENTWORTH**

**OFFICIAL PLAN**

**OFFICE CONSOLIDATION COPY**

**DECEMBER, 1990**











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<b>BLUE</b>	<b>25072</b>	<b>BLEU</b>
<b>R. BLUE</b>	<b>25073</b>	<b>BLEU R.</b>
<b>GREY</b>	<b>25074</b>	<b>GRIS</b>
<b>GREEN</b>	<b>25075</b>	<b>VERT</b>
<b>TANGERINE</b>	<b>25077</b>	<b>TANGERINE</b>
<b>RED</b>	<b>25078</b>	<b>ROUGE</b>
<b>X. RED</b>	<b>25079</b>	<b>ROUGE X.</b>

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